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EASONAL FARMWORKER POWERLESSNESS

HEARINGS
BEFORE THE
SUBCOMMITTEE ON MIGRATORY LABOR
OF THE
COMMITTEE ON
LABOR AND PUBLIC WELFARE
UNITED STATES SENATE
NINETY-FIRST CONGRESS
FIRST AND SECOND SESSIONS
ON

WHO ARE THE MIGRANTS?

JUNE 9 AND 10, 1969

PART 1

Printed for the use of the Committee on Labor and Public Welfare

MIGRANT AND SEASONAL FARMWORKER POWERLESSNESS

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Part 2: The Migrant Subculture	July 28, 1969
Part 3-A: Efforts to Organize	July 15, 1969
Part 3-B: Efforts to Organize	July 16 and 17, 1969
Part 4: Farmworker Legal Problems	Aug. 7 and 8, 1969
Part 5: Border Commuter Labor Problem	May 21 and 22, 1969
Part 6: Pesticides and the Farmworker	Aug. 1, Sept. 29 and 30, 1969
Part 7: Manpower and Economic Problems	Apr. 14 and 15, 1970

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MIGRANT AND SEASONAL FARMWORKER POWERLESSNESS

WHO ARE THE MIGRANTS?

MONDAY, JUNE 9, 1969

U.S. SENATE,
SUBCOMMITTEE ON MIGRATORY LABOR
OF THE COMMITTEE ON LABOR AND PUBLIC WELFARE,
Washington, D.C.

The subcommittee met at 9:40 a.m., pursuant to call, in room 4232, New Senate Office Building, Senator Walter F. Mondale (chairman of the subcommittee) presiding.

Present: Senators Mondale (presiding), Saxbe, Bellmon, and Schweiker.

Committee staff members present: Robert O. Harris, staff director of full committee; Boren Chertkov, majority counsel to the subcommittee; A. Sidney Johnson, professional staff member to the subcommittee; and Eugene Mittelman, minority counsel.

Senator MONDALE. The Subcommittee on Migratory Labor will come to order.

This morning the subcommittee begins its second set of hearings on migrant and seasonal farm labor problems in the United States. The theme for the entire series of hearings is powerlessness. The subcommittee is examining the depth of powerlessness among migrants, and the reasons for this powerlessness.

These hearings are designed to explore the extent to which migrant workers are powerless to influence decisions in both their home base communities and in so-called user States. The subcommittee is examining the degree to which, and the ways in which, migrant and seasonal farmworkers are deprived of political power, deprived of economic power, deprived of cultural identity or pride, deprived of rights and privileges that most Americans take for granted.

Our first set of hearings revealed the harmful impact of the border commuter labor problem on migratory and seasonal farmworkers specifically, and explained part of the social and economic deprivation—and the powerlessness—faced by migrants.

We learned how the migrant and seasonal farmworker is often powerless to affect his own unemployment and underemployment, powerless to fight job displacement, powerless in union or community organization efforts to improve his depressed living and working conditions, in the face of thousands of campesinos coming across the border every morning from Mexico into Texas, Arizona, and California to work in our fields.

In this week's hearings the subcommittee continues its inquiry into powerlessness by having migrant and former migrant farmworkers tell their own story. These people not only see their problems, but they live with their problems every day.

Clearly, the real story of the migrant, why he migrates, and his plight, is best told by those who are, or have been, migrant workers.

Some may have difficulty expressing themselves although they above all know the condition of their lives. This also reflects upon the issue of powerlessness. Often, however, out of their suffering and deprivation come an eloquence and clarity not to be heard elsewhere. Often unschooled, and always unable to hire lawyers or public relations men, or "ghosts," they must speak for themselves.

What is important is that they are still talking, still trying to make a wealthy nation aware of the poverty of their lives. Theirs is the rhetoric of faith and reform. Will we listen and respond? Or, will we see, as we have seen in far to many other instances, that the leaders of restraint will be replaced by the voices of despair and demolition?

This will not be the first time that an effort has been made to have migrant farmworkers themselves tell their own story. Ten years ago, the television documentary "Harvest of Shame" was produced. In this film migrants themselves vividly told their own story—their hunger, sickness, inadequate education, poor housing, underemployment, low pay was brought to our living rooms.

Just last year a similar documentary entitled "What Harvest for the Reaper" was produced. It included many scenes from the same geographical areas as those in "Harvest of Shame."

At our hearings this week the top staff personnel involved in the production of one of these films will testify. We will explore with them the extent to which the conditions of migrant workers have improved—if at all—and the reasons for any improvement or lack of improvement that has occurred.

Following this week's hearings, the subcommittee will hold hearings on a number of other subject areas that will further define and describe the problem of migrant and seasonal farmworker powerlessness.

In mid-July the subcommittee intends to examine community and union organization efforts of migrant and seasonal farmworkers, and to explore why those efforts have either succeeded or failed.

Later in July, Dr. Robert Coles, a Harvard psychiatrist, is scheduled to testify on the formation of what he defines as a migrant subculture. The political, economic, social, and cultural facts that affect the lives of migrants, their activities, their view of themselves in relation to others around them, and the assumptions they make about the world, will be studied.

The subcommittee also plans to hold hearings to determine the effects of pesticides on farmworkers. Senator Gaylord Nelson of Wisconsin has brought the public's attention to the dangerous use of pesticides, and the effects that pesticides have on our Nation's environment and population. We need to know:

What are the short and long range effects, if any, of the use of pesticides on farmworkers who apply them, or work in the fields soon after they have been applied:

Whether in view of increasing production, and the proliferation of various new pesticides, adequate funds are being devoted to research on occupational hazards to farmworkers:

What the results of a National Cancer Institute major study of lymphomas, leukemia, and carcinogenic qualities in some 50 widely used pesticides reveal; and,

What Government programs exist for protection of the farmworker from pesticides and whether they are adequately funded and enforced?

Questions such as these must be explored to gain a full understanding of the special problems which pesticides may have for migrant and seasonal farmworkers.

The subcommittee also plans to hold hearings designed to examine the legal problems and barriers faced by migrant and seasonal farmworkers.

Attorneys with an intimate knowledge of the practice of law in rural areas will be called on to discuss the legal problems they confront, and the legal services that are unavailable to migrant and seasonal farmworkers.

The subcommittee's investigation will extend to legal problems that may be encountered in the coverage of farmworkers under social and worker benefit programs, in the administration of justice in rural areas, and in the exercise of civil rights.

Also, specific legal problems such as enforcement of local, State and Federal laws and codes, access to farm labor camps, peonage, use of pesticides, residence requirements as barriers to voting and participation in the political process, and licensing and inspection programs.

Additionally, possible roles of the attorney in helping to overcome migrant and seasonal farmworker powerlessness will be studied, with emphasis on the need, if any, for supportive assistance through legal service programs that aid the powerless in their relationships with various elements of the rural community.

After the Senate recess scheduled for August, we intend to explore the nature and scope of the rural employment and manpower problem; the limitations of current Government service programs, and social and worker benefit programs; and finally, what is the future of migrant and seasonal farmworkers.

Today we continue this series of hearings on powerlessness: and we begin with a discussion of the problems by the producers of television documentaries and by migrants and former migrants themselves.

We have a very interesting panel this morning and I would ask Mr. Silverstein, Mr. Dixon and Mr. Perlmutter to come to the witness table. They are here along with Reverend Bryant of Greenport, N.Y.

Mr. Silverstein, would you explain what we are about to see.

STATEMENT OF MORTON SILVERSTEIN, NATIONAL EDUCATIONAL TELEVISION, NEW YORK CITY, PRODUCER OF "WHAT HARVEST FOR THE REAPER"; DON M. DIXON, DIRECTOR OF PUBLIC AFFAIRS PROGRAMS, NET; ALVIN PERLMUTTER, EXECUTIVE PRODUCER, NET; AND REV. ARTHUR BRYANT, PASTOR, ST. PETER'S LUTHERAN CHURCH, PARTICIPANT IN "WHAT HARVEST FOR THE REAPER," GREENPORT, N.Y.

Mr. SILVERSTEIN. Yes, I would be most happy to.

We thank you first of all for inviting us here today. I am Morton Silverstein, the writer-producer of National Educational Television's production of "What Harvest for the Reaper?"

Next to me is Rev. Arthur Bryant of the Suffolk County Human Relations Commission. To his left is Mr. Donald Dixon, director of NET public affairs; and Mr. Alvin H. Perlmutter, NET executive producer, all of whom were instrumental in the production and telecast of this documentary.

In the summer of 1967, a film unit of National Educational Television was assigned to investigate what changes, if any, had occurred in the lives of migrant workers since Edward R. Murrow's CBS documentary, "Harvest of Shame," was first broadcast in 1960.

We decided to examine a single camp and a single group of workers—from recruiting stage in Arkansas to ultimate disillusionment in Long Island—in order to delineate their lives and working conditions.

The camp, indeed was called by State officials, "better than average" among New York State labor camps.

We followed the workers from Forrest City, Ark., on the long bus ride to Cutchogue, Long Island, and then filmed a complete agricultural season—from strawberry picking in June to potato harvesting and grading in November. You will see some of this filmed record today.

Permit me this additional statement: The theme of this hearing, as I understand it, is the powerlessness of the migrant worker.

You can provide him with that power.

He is often voiceless.

Television can provide him with that voice.

But beyond this, we in television feel a sense of frustration. For, once an act of original sin has been exposed, all too often there is merely an initial hue and cry, perhaps some token reform—but rarely a permanent remedy. This, if I may say so, is the obligation of the Congress, at the impetus of this committee.

Following the presentation of sections of "What Harvest for the Reaper?", which you have kindly invited us to show, Mr. Dixon and Mr. Perlmutter will address themselves to television's search and commitment—in using the documentary as an instrument of reform, and the Rev. Arthur Bryant will cite the changes, however inadequate, which have occurred in Suffolk County and elsewhere since our 1968 telecast.

There is little I would like to add to what has been expressed in this film, except to again quote the words of a migrant worker spoken during the agony of that summer.

Referring to his work, to his life, he said: "All we get is dust for blood."

And now, with your permission, we would like to present a brief series of segments from NET Journal's "What Harvest for the Reaper?"

Thank you very much, gentlemen.

Because time is of the essence, yours and most particularly that of the migrant worker himself, I would like to get on with the film presentation.

Following the film segments my colleagues will have additional statements to make.

Senator MONDALE. This is the showing of the film prepared by National Educational Television entitled, "What Harvest for the Reaper?"

When was this produced?

Mr. SILVERSTEIN. This was filmed during the summer and fall and winter of 1967. We thought we would give a complete agricultural cycle of a single migrant labor camp.

What you see today are segments of the film. There will be little short pieces of the leader which will indicate that we have taken them somewhat in sequence from the film itself.

This is a half-hour distillation of a 1-hour document.

Senator MONDALE. Very well.

Thank you. For purposes of our record, we will insert at this point a full text of the documentary.

(The text of "What Harvest for the Reaper?" follows:)

"WHAT HARVEST FOR THE REAPER?"

A COMPLETE TRANSCRIPT OF NATIONAL EDUCATIONAL TELEVISION'S NET JOURNAL

[This hour-long documentary studies the exploited migrant worker at a single labor camp in Cutchogue, Long Island, during an entire agricultural season. Recruited from such Southern backwaters as Forrest City, Arkansas, the migrant makes the trip North only to find himself the vassal of an economic system he left behind. His mean life in the camp, his wearying days in the fields, and his continuing indebtedness to the opportunistic crew chief are documented in the program. The positions of farmers, potato processors, and others who benefit from migrant labor are also presented here.]

Produced and written by. Morton Silverstein; executive producer, A. H. Perlmutter; narrator, Philip Sterling; type of recording, videotape; length, sixty minutes.

This is a 1968 production of National Educational Television.

NARRATOR. The following program is from NET, the National Educational Television Network.

The chronicle begins here in a parched, bloodless, cotton-bankrupt Southern town, with a crew chief, Andrew Anderson, seeking to recruit migrant labor to work the potato rich crops of eastern Long Island in New York.

RECRUITER. Is there anything going on for you to do? I'm trying to recruit some guys to go to New York and work for a little while.

MAN. Going to New York?

RECRUITER. Yeah, about eight weeks.

MAN. Yeah, well, I don't know nobody.

RECRUITER. If you see anybody interested in going, tell them to contact Anderson, Andrew Anderson on Water Street.

MAN. Okay.

RECRUITER. My boss will be sitting down there so they can contact and there will be somebody there to take the name. And you'll do that.

MAN. Yeah.

Recruiter. You fellows already got a suitcase. All you've got to do is get on my bus.

Man. Yeah.

Recruiter. I'm trying to find some men who want to go to New York and work for a while. You know anybody interested in going, tell them to contact me. Okay. You know Henry DeFrance?

Man. Yeah.

Recruiter. You know him don't you. He's up there.

Man. He's up there? Where does he work?

Recruiter. He works as a grader over there. So, if you see anybody, you tell them to check. I'm going to leave tomorrow evening.

Man. Tomorrow evening, okay.

Recruiter. Yup. I'd appreciate that. Okay.

Man. Yeah.

Recruiter. Would you be interested in going off for eight weeks?

Man. About eight weeks?

Recruiter. The first of December, that's when my job ends.

I don't rest—tomorrow. I've got about forty boys from here and there around, and Parkin.

Man. I never have any money to go there.

Recruiter. No, that's one thing. I'm getting you up there on credit. You see.

If I don't get you a job, they'll bring you back on credit. Now, I've got to have a job for you haven't I. I sure don't want to feed you and you're not going to work. Isn't that right, Cleo.

See if I were going to do that then Cleo would be ready to go.

What's your name?

Man. David.

Recruiter. David. What's your last name?

Man. Brandon—B–R–A–N–D–O–N.

Recruiter. Is many people out of work here now?

Man. Yeah man.

Recruiter. They need something to do?

Man. Yeah.

Recruiter. This would help Santa Claus, you see, if they go up and work until the first of December and make 'em four or five hundred dollars. They tell me that's where Santa Claus come by, you know.

Man. Yeah, that's about . . .

Recruiter. You know, in any situation. You're Santa Claus ain't you? You're Santa Claus now?

Man. Yeah.

Recruiter. You don't get no finances, you don't have no Santa Claus huh?

Man. Yeah, for about eighteen years.

Recruiter. I'll look and see what I can find out for you.

Narrator. The next night, six more men had been induced to make the journey north. Some with the help of the Arkansas State Employment Service.

They had been promised good wages, steady work and such creature comforts as decent housing, shower facilities and what is called a centrally located restaurant on the grounds of the labor camp.

Their guide for the 1800 mile trip will be crew leader Anderson. His charge is thirty dollars. Since none can now afford it, they are in debt to Andrew Anderson before the trip begins.

The bus marked "special" will take them away from the indifferent towns of Arkansas, past the county seats of Tennessee into the Virginias, then over hundreds of miles of sterile highway that bypass great mountains of hard-breaking sunsets, until ultimately they reach Cutchogue, Long Island.

Earlier in the season, Cutchogue was a vacation resort, one of the prides of Long Island North Fork. The prim town is resplendent with schools, churches and old homes. It also has a migrant labor camp.

Even back in June at the beginning of the season, the labor camp bore the scars of endless summers past. One of 89 camps in Suffolk County, it is considered better than most by local officials.

Anderson. Alright let's go.

Narrator. On his morning rounds, Andrew Anderson wakes up Charlie White, one of 21,000 migrant workers in New York State, whose circumstances are similar to a half million migrants throughout the United States.

Charlie White's weekly pay averages $47.00. From this he must pay a weekly rent of five dollars, a fuel charge of two dollars and a blanket fee of five dollars.

Although there was a fire at this camp several years ago which took the lives of two workers, this room is not fire-proof. The New York State code requires fire-proofing for buildings housing at least fifteen men; only fourteen live in this area.

ANDERSON. Get up man. Get out and get this camp in shape.

NARRATOR. The multiple occupancy dorms labeled "bull pens" by the workers are claimed to be fire-resistant by the farmer owners.

As to actual living space, the New York State code says that if a double-deck bunk is used in such an area, there shall be at least twenty square feet of floor area for each man. For non-migrants, the code insists on eighty square feet. It goes on to say that every bunk, bed, cot, or bunk spring, mattress or pillow shall be in good condition, and every sheet and blanket shall be clean.

The men here pay the same as Charlie White for rent, fuel and blankets. Throughout the season, almost 100 men will use this bathroom facility. Suffolk County officials have managed to amend the State law to outlaw outhouses.

Later in the season, 36 men will have to use a single bathroom. The farmers were outraged by a County violation report. They claimed that only 25 men had to use it. All meals are served at the Dixie Belle Tavern. The centrally located restaurant. In charge of the food concession is Mrs. Andrew Anderson. Breakfast is eighty-five cents. Usually consisting of a sausage bowl, rice, hominy grits, and an occasional egg.

Since the workers rarely have cash on hand, every charge is on credit to be deducted from the paychecks at the end of the week.

The bus takes them into their field work every morning. Roundtrip is $1.25, payable to Andrew Anderson, except when the farmers transport them in themselves, riding them out in pickup trucks; at six a.m. this bus is almost ready to roll.

ANDERSON. Dave Johnson, Louis Willy, Richard Addison, Fromm, LeRoy Carter, Feeley, Antonio.

MAN. He's already up there.

ANDERSON. Who do I have in there?

NARRATOR. If the work is slow, as it frequently is, or if the men are not favorites of the crew chief, they stay behind incurring the debts of daily existence. The number three crop in Long Island is strawberries, harvested from June to August. The migrants make ten cents for every quart they pick.

The work is called stoop labor for obvious reasons.

Daily records are kept via paper chits. For every quart, a chit worth a dime to be returned at the end of the day, duly noted, paid at week's end.

The land belongs to one of the farmers who owns the labor camp, William Lindsay.

AUCTIONEER. . . . (unintelligible—auctioneering) How much?

NARRATOR. Farmer Lindsay's strawberries yield close to two hundred dollars on the auction block. The migrants who picked it earn a total of twelve dollars for their labor. Two dollars apiece for six men. For six hours of work.

ANDERSON. Time to get up now.

NARRATOR. Migrant worker Woodrow Wilson. He wants to go to nearby Riverhead today. The trip, if Anderson allows him to go and furnish his transportation, will cost three dollars.

ANDERSON. No, really, I can't let you go to Riverhead. I've got work here for the farmers. Okay.

MAN. Okay.

ANDERSON. If you don't make nothing today, I'll let you go to Riverhead, you here. Alright?

NARRATOR. No one is going to Riverhead this morning. Charlie White is ready to harvest stringbeans. So is Woodrow Wilson. Even though picking a hamper of beans pays only a dollar.

MAN. . . . (unintelligible) . . .

NARRATOR Jackie Robinson. He's fourteen and says he's been trying to return to Arkansas to reenter school but hasn't been able to buy his way out.

MAN. . . . (singing) . . .

NARRATOR. These are the economics of migrant labor. Charlie White will pick stringbeans from six AM till twelve Noon. He will be paid one dollar a hamper.

Andrew Anderson will take fifteen cents on each dollar as he does on all field workers. For six hours work, Charlie White will earn one dollar and seventy cents.

MAN. . . . (singing) . . .

NARRATOR. Much of the fertile land of Suffolk County is owned by members of the Eastern Suffolk Co-operative, which owns and operates the Cutchogue labor camp, leasing it to Anderson.

For decades the land has been yielding abundant crops: potatoes, cauliflower, strawberries, and stringbeans.

NARRATOR. On some days, the farmers come to camp to pick up their workers.

Farmer William Chudiak is the President of the Eastern Suffolk Co-op. While he has some cauliflower and strawberry acreage, his principal investment is in potatoes. Seventy-five acres, estimated current value almost three thousand dollars an acre.

Another member of the co-op, Al Patrick, owns seventy-two acres of potatoes, also valued at close to three thousand dollars per acre.

WORKER. This is my first time.

INTERVIEWER. First time?

WORKER. Uh-huh, I don't like to so well, neither.

INTERVIEWER. You don't. What kind do you like?

WORKER. I'd like some kind of inside job or something like that. I'd rather be in Arkansas, I believe, than be here. Rather than be here.

INTERVIEWER. What's the difference between here and Arkansas? Give us some of the advantages of Arkansas.

WORKER. Well so far, you can have more pleasure in Arkansas than up here now. I don't know how it's going to be after awhile, but right now it's not so good.

INTERVIEWER. What made you decide to come up?

WORKER. Oh. I just said I'd try it once. I saw everybody else trying it, saying they liked it. And I decided I'd try it and see if I liked it.

INTERVIEWER. Well, did you think there was a chance to make some money or not?

WORKER. Yeah, I thought there was a chance to make some money. I thought the wages would be a little higher than they were in Arkansas, but I see that they ain't. Not here.

INTERVIEWER. What are you going to do after the crop?

WORKER. Well, I guess I'll go back home if I'm let. Go to Chicago.

WORKER. I'll go home and stay for a time. Someone come pick me up and I'll go to Florida.

INTERVIEWER. What do you work? The citrus crop?

WORKER. No, we do the same thing—potatoes.

INTERVIEWER. Florida potatoes?

WORKER. Yeah. That's right. We stay in Florida about six weeks. Leave Florida to come back to what's called Cape Charles, Virginia. We live in Cape Charles, Virginia and breed potatoes there for a month. We leave there and come back here to Cutchogue. The least long we're supposed to stay here is eight months. We come in in July. We stay from July until March.

We leave here in March, the first of April and go back to Florida. We just go back and forth.

INTERVIEWER. Where is your home?

WORKER. Well, my original home was—where I was raised was in Arkansas, but I was born in Oklahoma City. That's where I'm from. I went back to Arkansas last year and was there about eleven months. I've been a citizen of this State of ten and a half years.

I've been to Rochester, Buffalo, Syracuse, Watertown, Utica, Lockport. All those . . .

I've worked all in the northern parts.

WORKER. I don't want my children to be drifting like I have. Going to and fro, and I'm working by the help of God trying to make a better living, to get a better job, either to be in a place where I can be stationary, where I can get them through school, and try to give them a better living than I had in my life.

NARRATOR. It is July 4th, a paid vacation day to most Americans. And these are the strawberry fields of Farmer Lindsay.

Present are some tourists and friends of the Lindsays, who for a token fee can keep whatever they pick. For the tourists it is fun. For the migrants who are working the fields, it is survival at ten cents a quart.

YOUNG CHILD. I picked half a basket. Then we'll pull in another basket okay?

WOMAN. Okay.

YOUNG CHILD. John, how many baskets did you pull up?

YOUNG CHILD. Unintelligible.

NARRATOR. Farmer Lindsay records the chits used in payment. He is not enamored of migrant help. They're not men at all, he says, but two-legged animals.

WORSHIPING FARM FAMILY. And to you father, that I have sinned exceedingly in thought, word and deed, through my fault, through my fault, through my most grievous fault. May Almighty God have mercy on you, forgive you your sins and bring you to life everlasting.

Amen.

WORSHIPING FARMWORKERS. We thank thee heavenly father for life. We thank thee our father for the food that we ate this morning. Our father, thou who hast brought us thus far on life's journey, it is with a great deal of humility, and thanksgiving that we're here this morning. We pray heavenly father that they would use our lives as instruments to reach others.

Amen.

Oh, God . . . (unintelligible) . . .

And your people will rejoice in you.

Tell us oh Lord your penance.

Grant us your salvation.

Oh Lord hear my prayer.

The Lord be with you.

GROUP. Singing . . .

FARMER. The labor situation is—it's terrible. No one wants to work. They are interested in what they can get out of you, but not what they can do for you.

You have some boys that are fair. And some of them—they're not interested in nothing but—I probably shouldn't even say it.

FARM WIFE. I'd say that they're okay. But it comes like on a Saturday morning with—when they have nobody to load the trucks if it wasn't for—

FARMER. They don't show up on the job.

FARM WIFE. And Monday mornings. So my husband is actually sick them two days.

FARMER. I have some—like the Puerto Ricans—the same ones come back. But the migrants from the labor camp, I think they come from Arkansas and Mississippi. And quite a few of them has been the same ones. Which makes me feel halfway decent that they appreciate what I do for them.

NARRATOR. The farmers spend more money on tractor repair and fertilizer than they do on migrant housing, yet resent what they call outside do-gooders.

FARMER. There are too many people trying to do too much for the Negro, not knowing the problems the farmers have to face with them.

Nobody helped me. And—so I have nothing against them personally. I mean, they're human beings also. But some of them are so destructive and people that don't have any idea of what they're like are the ones that are doing all the fighting for them.

They ought to come down here to this camp and see what goes on here weekends. They'd never believe what's going on.

Because I know, we put screen doors up, and we put windows in. We go back a couple of days later, and they're taken right out again. You gotta go back and put them back, and they take them out.

They're very destructive.

INTERVIEWER. Well, how do these problems actually affect your production?

FARMER. Well, they don't exactly hinder our production. When we come into camp and start talking to some of these fellows, they get them so confused that they don't know whether the farmer is giving them the fast run-around, or whether the people who are talking to them are giving them a fast run-around, and they won't believe Mr. Anderson.

They think that he's trying to give them a fast shuffle also. They get awful confused.

NARRATOR. But the only thing that the migrants are confused about is the way they get paid.

At a plant nursery where they receive $1.35 per hour, they learn that another crew from the same camp working at a nursery down the road is being paid $1.75 per hour.

As the men go out to work on this day, they will discuss going to crew chief Anderson and demanding to know why they are being paid less. But of the ten men, eight will decide against a direct confrontation. The remaining two will then feel that since they do not have the strength of numbers, it is just not worth it.

And so on this day, as on every day throughout the long season, the complaints against Andrew Anderson will go unposed, and unanswered.

Worker. You won't have no help to fight it because everybody is scared to fight against it. They're scared they can't get back home the summer.

Worker. Puts on a very show, a good show with people that ain't never been no where with him. But it's all different when they get where they're going.

The way I was reading, the way he do's a man, you have to stay in debt. If you work at it, he'd going to possibly get a third of it, of your hours, regardless, of what happens. Because they're ain't nobody even if you're out of debt with him, look what he done already beat you for.

Worker. I left Arkansas to do better. I didn't leave Arkansas to do worse up here.

Worker. You'll never get out of debt with him. You're in debt with him when you start, and you're in debt with him when you leave.

Narrator. The second crew recruited by Andrew Anderson in September is on its final leg of the journey from Forest City, Arkansas, to Cutchogue Long Island. Steady work, good wages, enough money for Santa Claus have been the promises.

Along the way a hitch-hiker has been given a lift. He has been going nowhere in particular. Andrew Anderson decides to recruit him for the camp.

Anderson. Well, my purpose on this trip is to recruit some labor so just sit right in, you know.

Hitchhiker. As I say, I was out looking for a job. If it suits me, I'll go right along with you.

Anderson. How long can you work up there?

Hitchhiker. Oh, well, I'll work about as long as you want me to.

Anderson. The contract ends the first of December.

Hitchhiker. The first of December.

Anderson. I'll just find a place.

Hitchhiker. Yes sir.

Anderson. I'll be coming right along down this same route.

Hitchhiker. Good. I'd like to go with you and work right along with you. What does farm work pay?

Anderson. A dollar thirty-five to a dollar and a half an hour.

Hitchhiker. That's fine. It sounds alright to me. I think it sounds very good.

Man. Well, for farm work. It's alright for farm work.

Anderson. You can get in nine and ten hours a day.

Man. Good. Oh, that's better you know. When you get in more hours, you get more pay.

Narrator. The bus known as "special" arrives at the camp in the midst of rain that has plagued the Island all season long.

The earlier June to September crew is there to receive them.

For Mrs. Anderson, there will be new customers at meal time. And there are now six new workers for whom the farmers will pay a bounty of sixty cents a head each day to Andrew Anderson.

In September the early harvesting of potatoes begins. The steel fingers of field combines disinter the earth and send the variety known as Katadins bouncing up the chute, where migrants discard the vines and other unwanted natural debris.

Potatoes have made Suffolk one of the 100 richest counties in the nation in farm income. Despite the rainy weather all season, first harvest seems endless.

From the fields, the potatoes are trucked by farmers to grading sheds. In this next phase of marketing it is the processor who takes over. His role is to have the potatoes washed, graded, and packed by migrants, then shipped to New York City supermarkets and to other clients, including fashionable hotels and restaurants.

The processor here is one of the largest in the county and a member of the Eastern Suffolk Co-op, Steve J. Deroski.

Deroski. Well, you save me 150 for Philly. Okay. How much is it going to cost me? You mean to tell me you're holding me up for a dime? Boy, you fellows are something else. All right, we give it at two twenty.

NARRATOR. Lunch for the migrants arrives three hours late. They have been working since seven this morning. Again, all meals are from the concession belonging to the crew chief and his wife.

DEROSKI. Good enough to eat, Jed? Do you realize how much food that is?

WORKER. The potatoes are pretty well done.

DEROSKI. I don't eat that much.

WORKER. You don't do nothing but walk around.

DEROSKI. What do you mean, I don't do nothing but walk around? You must be joking.

WORKER. Huh.

DEROSKI. While you're working with your hands, I'm working with my mind.

WORKER. Mm-hm.

DEROSKI. Huh? That's right. My wheels are turning upstairs while—while your wheels are turning up here.

WORKER. That's right.

DEROSKI. Right?

WORKER. Right.

DEROSKI. Well, you got plenty to eat there. I believe—I don't know, you're going to be just too fat. You got to go on a diet if you eat that much food.

WORKER. Fat?

DEROSKI. Sure. How can you eat that much? Huh? I just had a little sandwich and I'm satisfied. You mean to tell me you can eat all that?

NARRATOR. The pay rate in the sheds is supposedly a dollar and sixty cents an hour. But it is the crew leader who determines the men's time, and it is the crew leader who deducts 25 cents from their hourly pay.

As in most sheds, whenever the machinery stops because of mechanical breakdown or an interval in the processing, the pay stops.

But many shed workers are bona fide members of a union.

WORKER. He say he 'long to a union, but I mean, the way I see it, I don't 'long to no union, because if you 'long to a union, if you get sick and lay off—I mean if you're sick the union s'pose to see that you get a third of your pay, right? Un' 'pose to see that your hospital bill, everything's taken care of. But dis union do not do dat.

Way I see it, point of view of . . . (unintelligible), all this union is is take your money.

NARRATOR. In 1960, in a contract signed between the workers and the Eastern Suffolk Cooperative, there was a guarantee of at least 160 hours of work a month—40 hours a week.

But in 1967, in a contract negotiated between the Teamsters Union, Local 202, and the potato processor, the work week guarantee was cut to 26 hours.

Within the same contract there is contained a no strike clause and a no lockout clause.

And the guarantee of transportation without charge back to the workers' destination.

Another clause in the contract talks of the existence of a shop steward, as well as the agreement that the contract shall be posted in a conspicuous place.

In those potato sheds visited by NET Journal, the contracts were nowhere to be seen.

One processor feels the responsibility for payment of unions is not his but that of the labor contractor, the crew leader.

PROCESSOR. You have good contractors and bad contractors, the same as you've got good employers and bad employers I mean, it's—you can't just say it's a case that takes place with migrants; it takes place all phases of labor.

As far as the people being exploited, I don't believe they're being exploited by the potato industry themselves. They're being exploited by their own kind. Not by the farmer and the processor.

NARRATOR. Pay day at the camp. One migrant called it "dust for blood."

When the men work a 40- or 50-hour week, their average pay check is $47. 25 cents on each hour is then deducted by the crew leader. Workers cash their checks with crew leader Anderson, because they have no transportation to the town bank. Besides, pay day is on Friday or Saturday evenings, after banking hours.

Room and board are deducted according to the crew leader's bookkeeping. Andrew Anderson says, however, he doesn't combine room and board, as do many other crew chiefs.

MAN. He pays for what he uses, and this is justice. And each worker will feel satisfied in paying for what he get.

NARRATOR. Pay day and and wine are classic partners in this camp, for all the wrong reasons. In town a pint of Twister sells for 51 cents. At the camp it's a dollar.

For the men it is quick therapy. But it also fogs the memory concerning what was charged up and what was not.

One of the men somehow received and cashed his own check, and bought his Twister in town. Crew leader Anderson is not happy.

ANDERSON. You owe $13 in the kitchen for food, you owe $5 for rent, and another . . .

WORKER. No, sir, you're wrong. Last year was . . . (unintelligible)

ANDERSON. Come over here, Rucker, don't play with me now.

WORKER. I ain't got it tonight. I'll pay it directly. I ain't got it tonight.

ANDERSON. What happened?

WORKER. No, sir, I ain't got it, now, no stuff.

ANDERSON. Why you don't have it?

WORKER. $20 kitchen for food?

ANDERSON. No, no, I didn't say that. You owe a total of $20.

WORKER. No, I paid last Thursday night, last Friday night.

ANDERSON. You pay it every week.

WORKER. Well—I owe thirt—$20 right now?

ANDERSON. Yeah. You owe a dollar 98 cents for kerosene.

WORKER. Who, me? I ain't got it . . . (unintelligible)

ANDERSON. Come on, now, I'm not playing.

WORKER. I ain't paying. You can whip me, you can knock me down, drag me. . . .

ANDERSON. I'm gonna kill you. I mean, if you don't pay your bill, you'd be better off dead.

WORKER. Killing? Yeah, kill me. I . . .

ANDERSON. You know I won't. Come on, Woodrow.

WORKER. I ain't never beat you out of a dime this season.

ANDERSON. Okay. I get your money tomorrow, but your foreman, he going to pay your bill tomorrow.

WORKER. He'll fight. He'll fight. . . . (untelligible)

ANDERSON. See, I don't 'preciate this at all. Now, you going to pay cash for what you get from now on, too.

WORKER. Check. I got—you can say that again, pay you . . . (unintelligible)

ANDERSON. Come bringing $9 on a $20 bill.

WORKER. Check.

ANDERSON. I really feel I was doing better than this.

WORKER. 'Preciate.

ANDERSON. I don't 'preciate that, Woodrow.

WORKER. Fight yourself.

ANDERSON. I mean your work is all right, but you shouldn't drink up your earnings.

That's what you get, you see. Actually, all the farmers s'pose to bring their checks in here. Your farmer slipped up.

WORKER. Heh, you know what it is? I . . .

ANDERSON. I'm not going to ask you about it no more, 'cause he's going to pay me tomorrow, hisself.

WORKER. Yeah. Yes sir.

ANDERSON. I—I was doing this—cause the only . . .

MAN. Man . . . (unintelligible) ship.

ANDERSON. Well, see, there you have people that really don't have sense enough to even spend their own money. Now, any time you go by the wine store and spend your money before you come . . .

WORKER. I wasn't in it. I . . .

ANDERSON. . . . before you come back to pay your bill . . .

WORKER. . . . was . . .

ANDERSON. Shut up.

WORKER. I'm going.

ANDERSON. Come on back here. Now, you shouldn't have went by the wine store first. You should have paid your food bill and your rent first, where you got to sleep and eat. And then went drinking it up. This is the reason why you don't have—and you're not supposed to get your own check.

This is—this is one of the reasons. But he—he gonna pay the rest of your bill. Now you—you—I don't know, you maybe go on and throw away the rest of your money; you don't care with it.

(Laughter)

Anderson. Tell Allie to discontinue Woodrow's credit over there.

Narrator. The humiliation, the being without, is to the worker the natural air he breathes every day.

(Song follows.)

Narrator. Reverend Arthur Bryant, Migrant Chairman, Suffolk County Human Relations Commission.

Rev. Bryant. A—a crew chief is big daddy to all of his workers, and he inspires fear and he knows how to spank his people if they don't behave the way he wants them to.

Andrew Anderson is one of the more sophisticated crew leaders. He's convinced that what he's doing is probably for the good of his men. I talked to him recently about how he's able to recruit men for the kind of work that he brings them up to.

He told me that he can go down to Forest City, Arkansas, and recruit all the men that he wants. I said, "why?" "Well," he said, "you know in Arkansas the minimum wage rate is a dollar an hour." He says, "but a lot of the people down there are already exploited to the point where they receive 40 cents an hour for their work."

And he said that this is not publicly known. He says, "but I know it, and when I tell them about a dollar 35 or a dollar 50 an hour here, they feel that they're coming to Eldorado."

First year he tried to be a little bit more lenient and seemed to have gotten into a lot of financial difficulty as a result of that. Last couple of years he seems to have wised up to the system, and he claims to be making a good dollar, the kind of dollar that would probably multiply my income by four.

Interviewer. We're talking specifically, what are we talking——

Rev. Bryant. We're talking about $40,000 a year for his family.

Narrator. Worker Charlie White is interviewed by NET's Morton Silverstein.

Interviewer. Charges, what kind of monies did Andrew Anderson take out of a man's earnings? What were the specific charges?

Charlie White. Well, I tell you this, tell you what he drew. (Unclear) Well, out of your pay is $5, all right. Then you gotta eat. For eat you draw from 18, 19 dollars a week. All these your sodas, and your drinks like that, they run you around about—about 40-some dollars a week. They run right around about 40-some dollars a week. Then you don't have nothing then, 'cause he's got it all. You work hard and he got it all. I say, you can work hard every day, but he—he makes the money.

Like to us, we make it all right, but we don't get it.

Worker. If I could only get enough money, I would go home tonight. But I been here for going on five months, and haven't never got enough money to go home.

Interviewer. How do you expect to get home?

Worker. Really, I've asked myself that question a hundred times within one night. And really, I wouldn't know.

Narrator. As the season drew to a close, camp manager Andrew Anderson was asked:

Interviewer. Are you satisfied that you can look any man in the eye that has worked for you this season, and be at perfect ease with your own conscience?

Anderson. Oh, yeah. I can. I can say that, and I believe that I have been just, and I have treated every man, right down the line, like I would be—desire to be treated. And I don't believe that there's a man in my crew who would be able to say that he have been mistreated or cheated out of something that was due him.

I mean—I'm very concerned—in the worker. I'm—concerned in the fellow man, my fellow man. I pulls for him.

Narrator. Living conditions for migrant workers are the responsibility of the Chief of Housing and Camp Sanitation, Suffolk County Department of Health, Sidney Beckwith.

Sidney Beckwith. This particular camp is not one of our better ones. It does have an oppressive look to it, but it is livable in that when we issue the permit it meets the—the minimum code requirements. But I think as bad as it is, we've been told by visitors that have been touring the camps throughout the state that it is better than the average New York State farm labor camp.

There's been a history of inadequate maintenance, inadequate cleanliness, which is considered to be housekeeping; and I would certainly have to add that there's been, because of this, inadequate supervision.

I think these three items are the serious problems that we find in this camp.

From time to time the Department has recommended that this camp be torn down, and that they would start from scratch and build a modern camp. And as a matter of fact, in 1966 they applied for federal funds in the form of a federal grant. It didn't come through. And so they scrapped their plan.

NARRATOR. Mr. Beckwith was asked if he felt the farmers would be willing to spend their own money to rebuild the camp.

BECKWITH. Well, I would—in my opinion, I dont believe they're interested in doing it in that way.

NARRATOR. Mr. Beckwith admits codes are minimal, enforcement methods ineffectual; that farmers delay in correcting violations; and that going to court is futile.

BECKWITH. The camp is closed and it's a little more difficult to get convictions when you no longer have the violation.

NARRATOR. In late November the potato land was plowed out. The farmers moaned it was their worst season in years, that they got $1.50 per hundredweight as opposed to a $2.25 break-even price.

Suffolk County urged them to use seasonal labor. The farmers said there was none. The county said, "mechanize." The farmers said, "too expensive."

The board of directors at the Eastern Suffolk Co-op, composed of these farmers, was asked if it was satisfied that migrants were receiving decent living and working conditions.

Board member. I think for—for what we get from the worker, I think wages are prevailing. And our conditions meet the requirements of the local Department of Health. Occasionally we run into a violation or two, but that's—that's quickly corrected. Our problem is to get satisfactory workers.

BOARD MEMBER. There's never a word spoken about the farmer. Everything is for the help. I mean, why—why doesn't somebody come out and guarantee us a price for our produce.

BOARD MEMBER. That is right.

BOARD MEMBER. . . . year in and year out? But they don't.

BOARD MEMBER. That's right.

BOARD MEMBER. The strawberries are begging to be picked. So we get out there at 6:30, 7 in the morning. At 10 o'clock, 10:30, our laborer comes over to you, says, I got a backache, boss, I want you to take me back to the camp. He cares less about my crop, about what he makes.

What am I, a fool to grow this thing? What am I, being crucified for it? Forget it. I will not grow it.

REV. BRYANT. These men are—are a sort of a product of their own environment. You have to go back maybe about 30, 35 years, and you find that the exploited farm laborer of that time was a Polish immigrant, who was brought over by members of his own family.

Before that, these people who were exploiting their family members were exploited by good yankee farmers.

There's an old Greek motto that says there's no worse taskmaster than a former slave.

BOARD MEMBER. I think Reverend Bryant is a very sick man.

BOARD MEMBER. I'll go along with Frank on that idea. He doesn't—he does not know the farmers' problems. He just going around taking stuff out of the—out of the wind and expressing himself in the papers. I mean, his facts, he has—to me, he has no facts.

REV. BRYANT. I know, for instance, the first year we had VISTA Volunteers. I received a call that the plumbing was all clogged up. And for a hundred men there are approximately—I think it's six—johns available. The johns were clogged up for four days. Nobody did anything about it.

So I went into the Health Department offices in Riverhead and sat on a fellow's desk until they sent a man out to fix it. The complaint at the camp by the farmers was that the men had broken the system down by stuffing these johns with beer cans. What we found outside was that the toilet facilities were ruined because a pipe leading under the road was broken, and that the men had stuffed these cans and anything they could think into the—these things out of just pure frustration and anger.

Board Member. The conditions which—which exist are done by the residents. And I think it is very unfair for us as board members to be nursemaids to those people, as they wish to live in filth, not wash, and go to the bathroom in their own living quarters, well, there's no way I can stop it if I'm home in my own clean, lily-white sheets, which I change weekly.

Interviewer. If I may sum up, gentlemen, then I think what you're saying is it's not the migrant worker who is being exploited; it's the farmer. Is that correct?

Board Member. By all means.

Very much so.

By all means.

We're the fall guy.

Who cares about us any more?

Who cares?

That is right.

Who cares about us? We're the forgotten people.

Rev. Bryant. If we're going to say that the health of an industry is more important than the value of the human life, this sort of thing can catch on and eventually encompass all of us. We have to be concerned about him, because he is us.

Narrator. At the camp itself, one worker expresses hope. Another, outrage.

Worker. And I just got to go, because I don't want to be drug down like this. Gotta go. Because it hurts you inside, when you get insulted, because half of the time you're being insulted, see, for no reason at all, and you—if you—if you got to insult a person, you should have something to insult him for, and then for—therefore you're never supposed to insult anyone. But that's the whole idea.

Worker. But you know what I—what I really think? You know what I really think? I really think that one day the world will be great. I really believe the world gonna be great one day.

Narrator. The season which began in the vast darkness of night and soul is now ending the same way. Tomorrow the men will break camp.

On the last day, this legacy, these odors these noises, these silences. Three men pack to go home. They have worked for almost six months on the fields of Eden, and are irrevocably mired in debt.

Others who leave with money leave with five or ten dollars. The bus trip back to Arkansas will now cost $15, which they will try to work off when Andrew Anderson takes them on to Florida, to the citrus crop.

Eight years ago, in a memorable CBS documentary, "Harvest of Shame," the late Edward R. Murrow urged wage, health, and housing reforms for migrant workers. Eight years later, the migrant condition is still the shame of the nation.

The migrant field worker's minimum wage of a dollar and 15 cents an hour, when he can find work, is far below the national standard. The availability of medical services to him is often lacking. His death rate by tuberculosis alone is more than double that of most other American workers.

His living conditions too often do not respect his sanctity as a man. For the most part he does not have effective union protection.

The shame of the migrant condition must be shared by all of us. For as Reverend Bryant has said, the migrant is us.

Today the season vanishes like the migratory bird. What harvest for the reaper?

(Film segments from "What Harvest for the Reaper?" were shown.)

Senator Mondale. Mr. Silverstein, and the others of you who participated in the production of "What Harvest for the Reaper," let me say how much we appreciate the fact that you decided to make the film and the genius that went into trying to capsule a full season and do it as ably as you have.

It has been my observation that in dealing with the problems of those who are most deprived in our country that there is a general rule that the greater the deprival the lower the visibility. I think the TV documentary effort not to propagandize but simply to make visible the lives of the most forgotten is central to our efforts to create a truly healthy Nation which is so terribly important.

Do any of your coproducers have anything to add?

Mr. SILVERSTEIN. I think Mr. Dixon does.

STATEMENT OF DON M. DIXON, DIRECTOR, PUBLIC AFFAIRS PROGRAMS, NATIONAL EDUCATIONAL TELEVISION

Mr. DIXON. Mr. Chairman and members of the committee, it is gratifying for us to be here. Too often, making a documentary exposing inhuman conditions is like throwing a pebble into a pond. There are a few ripples and then the surface of the water returns to normal.

Your interest in this documentary gives us hope that this is not always so. It is ironic that this program caused as much stir as it did.

We set out, as Mr. Silverstein said, to find out what changes have occurred in the life of the migrant since Ed Murrow's "Harvest of Shame," which shocked so many people almost 10 years ago.

What we found out was even more shocking, that very little had changed, that the ripples went across the pond, the water was once again still, the conditions exposed by that documentary still existed.

Here, too, with "What Harvest for the Reaper" there was a ripple. There were stories in the press, demands for investigations. In fact, there was an investigation by the State legislature. The barbed wire you saw was cut down, the crew leader lost his job and conditions slightly improved.

Reverend Bryant can tell you more about what was and was not done. But the basic condition of the migrant, the condition which permits one man to be at the mercy of another, has not appreciably changed, as members of this committee know far better than we.

And it makes one wonder whether in another 10 years, another group of concerned producers might be sitting before another group of concerned Senators showing the son of What Harvest for the Reaper and the grandson of Harvest of Shame.

If that is the case, then we have failed. But the fact that we sit here today makes us hope that that will not be the case, that a condition exposed may be a condition remedied.

That is the reason we make documentaries although, we must acknowledge, this hope has not often been justified. If we are an instrument for reform, we are only a beginning one. But we believe that the first step is an important one, that if we can get people to understand the situation to be sensitized to what is going on, then, eventually they will back the changes that must be made.

But there must be followthrough if we are to be effective. We are not legislators. We do not enact the laws that affect their lives. In fact, under the terms of both our charter and the terms of the newly formed corporation for public broadcasting, we cannot so back legislation.

We do not run the businesses, labor unions, schools or other institutions with which they must deal. We give out information and disseminate viewpoints and hopefully provide understanding and perspective.

To be able to do this it is imperative that this kind of television remain free of economic and political pressures, remain independent to report what it finds regardless of what interests are affected.

If making people aware is the first step then television is particularly important because it reaches into so many homes and is felt by so many people.

Thank you.

Senator MONDALE. Thank you very much, Mr. Dixon.

Mr. Perlmutter.

Mr. PERLMUTTER. I think the basic issues have been covered.

Senator MONDALE. I think what we will do if it is all right with the committee is let us question those who produced the film and then go on to Reverend Bryant.

Senator Saxbe, do you have questions?

Senator SAXBE. My only question is has there been an improvement in the States' standards and regulations governing these camps?

Mr. SILVERSTEIN. I think so, sir. As television documentarians who must leave one given battlefield for another, we often leave people behind, protagonists like Reverend Bryant.

We move on from documentary to documentary leaving behind not only migrant workers but men like Reverend Bryant, who deals day in and day out in this attempt to reform the situation.

I think he could more pertinently address himself to your question as to followup.

Senator SAXBE. Reverend Bryant.

Reverend BRYANT. There were certain basic changes.

New York did enact a law. Through its administrative process the health department raised the space requirements for migrants from 30 square feet to 50 square feet. Of course, this is still 30 square feet less than what a 2-year-old child is entitled to in the city of New York.

So that it does say something. We in New York passed another aspect of the regulation which was the requirement that there be heat provided free of charge in the camps. When the Joint Legislative Committee on Migrant Labor made their tour in our area and entered an unheated camp where a man was coughing with TB, I believe they completely walked by the camp and there was no enforcement.

There was a law passed this year requiring $1.40 minimum wage for seasonal laborers. This was hailed as a great step forward, but the State of New York has a $1.60 minimum wage for a resident person. It was assumed that migrant workers are less hungry than other humans, and therefore deserve less to feed themselves. I don't know.

There are steps forward I suppose but steps that should have been taken at least a century ago.

Senator SAXBE. What about the 26-hour provision? Has that been increased?

Reverend BRYANT. No, there are no regulations. There is no work week contract. Right at this time of year the workers on our territory are working a pretty full work week, but back in the first 3 months of the year the workers were running about $25 income a week.

I had a college student living at one camp and working there so that we were able to check on what income came in. He said that what was absolutely sickening was the boredom involved.

By the way that $25 meant that $16 was taken out for food and $4.55 was taken out for rent. Then over and above that were his charges for soda. There would be no beverages provided with the meal so an 8-cent can of soda would be sold at 25 cents cash and 35 cents if bought on credit.

So you can see that there are no rules and regulations here.

Senator SAXBE. We are dealing with a number of States. Do you know of any States that have a record of the dealings of the crew chief and the ones he recruits? Can we see that they do get a net return and that they don't run up these big debts?

Reverend BRYANT. As far as States are concerned I know Indiana is doing quite a bit of work at this time. I don't know whether they have enacted anything. States like New York require fingerprinting of crew leaders so that we know they are not criminal types. If they are criminal types, they simply turn the paperwork over to their wives.

The only place where any real control is offered, and that is half-hearted, is the Commonwealth of Puerto Rico where a contract is set up for 160 work hours over a full month work period. This contract is violated as frequently as it is enforced.

It doesn't seem to me to be very effective.

Senator SAXBE. Is the lot of the workers, those recruited every morning on the street corner and paid off in cash every night, any better or is it worse?

Reverend BRYANT. Their total income is very poor. Their income is as bad as the others. I would say they are just as bad off as anyone else.

Senator SAXBE. They go home at night and there is no camp.

Reverend BRYANT. In my area they don't go home at night. They may be picked up as day-haul labor in New York City in Lower Manhattan or out in Jamaica and then brought out to the Island. They are not going home at night. As far as the day workers are concerned, the seasonal workers, they will go home but they will go home to shacks, some of the worst housing in the county, and their lot is not very much better.

We constantly read about them being burned up in these shacks.

Senator SAXBE. On the west coast, in Ohio, and in New Jersey, I know it is common practice for a crew chief to buy an old school bus and to go down on the corner and pick up a busload of workers. They will be working in strawberries or any other stoop labor. They furnish them their lunch, usually a sweet roll or a sandwich. They furnish them with some wine to drink on the way back, maybe on the way out, and then they pay them off in cash every night.

It seems to me that this group is more exploited than the others because there is no responsibility. They pick them up on the corner and drop them off on the corner. There is no accounting for where they go, where their money goes, or how much they get because it is all a cash deal.

Reverend BRYANT. I have seen the same thing in Portland, Oreg., where the raspberry pickers come from all over the country. I have seen them sleeping along the park areas, five or six blocks of parkland, with just men laying there. They are taken to the fields every morning and then just brought back and dumped.

The interesting thing about Oregon is that they also recruit children from the schools and you will have crews of children going out working side by side with men who are commonly called winos.

The exploitation system seems to know no bounds.

Senator SAXBE. That is all.

Senator MONDALE. Senator Bellmon.

Senator BELLMON. Thank you, Mr. Chairman.

I would like to ask about one of the statements made in the documentary. I wasn't able to hear too well but as I understood the strawberry pickers are paid 10 cents a box.

Mr. SILVERSTEIN. Ten cents a quart.

Senator BELLMON. Then there was the film of the auction in which the auctioneer was selling the strawberries and the statement was that this particular load of strawberries brought $200. Is that accurate?

Mr. SILVERSTEIN. Yes, sir.

We double-checked that with the auctioneer and with Farmer Lindsay and the workers as to the amount of money they received and the amount of hours they put in.

Senator BELLMON. Then the statement was that the worker had been paid $12 for picking $200 worth of strawberries?

Mr. SILVERSTEIN. I can't find that exactly in the transcript.

Senator BELLMON. If my arithmetic is right, those strawberries brought $1.67 a box.

Mr. SILVERSTEIN. We say Farmer Lindsay's strawberries yield close to $200 on the auction block, yet the migrants who picked it earned a total of $12 for their labor, $2 a piece for six men.

Senator BELLMON. That would have been 120 boxes of strawberries if they got 10 cents a quart. Is that the way you figure it?

Mr. SILVERSTEIN. I know we computed it quite accurately.

Senator BELLMON. I am curious to know what strawberries bring up there, how much strawberries are sold for if 120 boxes bring $200. That is a pretty high income.

Mr. SILVERSTEIN. It may have been.

I know our facts and our mathematics based on such facts were quite accurate.

Senator BELLMON. How many boxes were in the load? Do you know that?

Mr. SILVERSTEIN. At least a pickup load. I don't recall. I know that immediately after the auction transaction we checked the auctioneer as to how much Farmer Lindsay received for that yield which he had sold, and then checked with Farmer Lindsay about how much he was paid and checked the migrant workers as to how they were paid.

Senator BELLMON. You figure along with me, if you will.

If the workers received 10 cents a quart this would have meant there were 120 quarts in this load, is this right?

Mr. SILVERSTEIN. I will get my abacus now, sir.

Senator BELLMON. I think you could surely figure that one out.

Reverend BRYANT. May I make a statement while he is doing that?

Farmer Lindsay apparently was trying very hard to prove how little came in on a farm operation and I know that there was an initial statement about how much was received. I know that afterwards before the Joint Legislative Committee which met in Albany, Lindsay said that he had actaully paid his men $30 for that day's work which would amount to $5 apiece.

Now, that is the other set of statistics that have been handed down. What is a $5 workday even if that is true.

Senator SAXBE. Mr. Chairman, wait a minute.

You are making it much better because suppose he paid them $30. That still is only 300 boxes, and at 50 cents a box, which is retail, that is $150. They aren't selling wholesale for 50 cents a box.

The thing is bad enough but you can't beat us over the head with a bag of wind.

Reverend Bryant. The farmers never did contest the total price because I have been through that.

Senator Saxbe. The $12 or the $30.

Reverend Bryant. They never contested. They contested the $12 but they never contested the $200.

Senator Saxbe. I don't question that a load of strawberries is worth $200. There are 20 boxes to a crate of berries as I recall.

Senator Bellmon. Twelve boxes to a crate.

Senator Saxbe. Twelve boxes to a crate and these are auctioned off by the crate. Generally the price is about 30 cents a quart at the field.

Now, that is the going price for berries this season.

Senator Bellmon. If the worker would have gotten roughly 30 percent for picking them if the farmer got 30 cents a box, the workers' share of that $200 worth of strawberries would have been something like $70.

Reverend Bryant. The farmer said $30.

Senator Bellmon. I am not arguing about what the farmer said but it is plain to me that a $200 load of strawberries couldn't be harvested for $12. There is no way to do it unless they are premium strawberries that sell for something like $1.50 a box and there are very few of those.

What did your arithmetic show as to how many boxes are in that load of strawberries?

Mr. Silverstein. I don't recall, sir.

Senator Bellmon. At 10 cents a quart how many could you pick for $12?

Senator Saxbe. Divide 120 by 10.

Senator Bellmon. Are you trying to tell us that 120 boxes sold for $200? Is this your statement?

Mr. Silverstein. What I am saying is that we were out filming and working with the men during that day, working with them to film what the strawberry pickers were doing through that day.

We observed them and filmed their labors. We then followed Farmer Lindsay's truck back to the auction block. We were told the figures by the auctioneer, by Farmer Lindsay, and by the migrant workers themselves who picked the crop. In each case we learned what Farmer Lindsay had received for that amount on his pickup truck and what the migrant workers had received for those hours of labor.

Senator Bellmon. And according to your figures the farmer received $200 for his load of berries?

Mr. Silverstein. That is correct.

Senator Bellmon. And the workers received $12 for picking them?

Mr. Silverstein. Six men, $12.

Senator Bellmon. Six men?

Mr. Silverstein. $2 apiece, six men.

Senator Bellmon. Now is this a day's work? They got $2 a day for working a day?

Mr. Silverstein. This was 6 hours of work. This was doublechecked at the source. We observed them picking. We observed the sale. We questioned the farmer. We questioned the auctioneer and questioned the men.

Senator BELLMON. I am astounded at what you are telling us because it is patently not accurate. It just can't be true that $200 worth of strawberries, ordinary strawberries, can be picked for $12. It can't be that. It is impossible.

If there were 120 boxes in this load which is what your figure would substantiate if it cost 10 cents a box to have them picked, they simply could not be sold for $200. Some place there is a mistake. I would like to believe what you have shown us in your film but, if the rest of your information is this inaccurate, the film has no value as far as I am concerned.

Mr. SILVERSTEIN. I regret to hear you say that because I just told you the principal sources that I checked with at the time and we made very sure of our facts throughout.

Senator BELLMON. And you are saying in your statement now that these men get paid $2?

Mr. SILVERSTEIN. These men worked for 6 hours.

Senator BELLMON. And got $2 for their labor?

Mr. SILVERSTEIN. They got $2 for their labor. Farmer Lindsay drove the truck. We followed the truck to the auction block. We know he received close to $200. In fact we checked with the auctioneer and with Farmer Lindsay himself. I did not count the actual amount of crates in the pickup truck.

Senator BELLMON. You don't have to count them. If the men got $12 and were paid at the rate of 10 cents a box, how many boxes were there? Have you figured it out yet? You don't intend to figure it out, do you? I don't believe you want to know.

There were 120 boxes. That is all there could have been. How much a box did those berries bring if the load brought $200? How much a box did the farmer bring? If there were 120 boxes on that load what was his selling price?

Mr. SILVERSTEIN. He received close to $200.

Senator BELLMON. For 120 boxes. How much per box?

Mr. SILVERSTEIN. How much per box?

Senator BELLMON. Yes.

Mr. SILVERSTEIN. Are we doing mathematical operations here?

Senator BELLMON. I wish you would.

Senator MONDALE. As I understand you did not count the boxes or quantity that was sold but what you do testify to is that Farmer X got $200?

Mr. SILVERSTEIN. We observed the men at work, observed and filmed the auction, checked the auctioneer and Farmer Lindsay as to what he received at the auction, and subsequently checked the workers as to what they had received for the labor that we had filmed. I am not seeking mathematical sophistry, Senator. I am just citing in the program that which we observed and filmed.

If it seems astonishing in any case I am sorry, but this is what we observed and what we checked.

Senator BELLMON. I would like to believe in the accuracy of what you showed us here this morning but I am absolutely unable to believe that strawberries sell for $1.66 a box which is what it indicates if what you said is true, that the farmer gets $1.66 a box and you have shown here that the workers were paid $12 for picking these boxes at 10 cents a box.

The farmer then hauling to town sold the load for $200. If there were 120 boxes on the load he got $1.66 a box.

Senator MONDALE. Could it be that the men were cheated in the pay that they received from the picking?

Mr. SILVERSTEIN. I beg your pardon?

Senator MONDALE. Could it be that the men were cheated in terms of the pay they received for picking the strawberries?

Mr. SILVERSTEIN. I think it is possible.

Senator BELLMON. I would like to go on now.

The film also said as I recall that the man's income was $25 per week.

Reverend BRYANT. $47.

Senator BELLMON. $47 per week. Then, there was $16 for food.

Reverend BRYANT. I said this. That was not the statement that was made in the film.

Senator BELLMON. OK.

Now the total income was $47 per week. Then there was $16 for food, $4.50 for housing, so that $25 in theory was the money they had left over, their take-home pay you might say.

Reverend BRYANT. But as I explained a minute ago there are things that happen in the camp. One of the things is that New York State has a regulation about the maximum that can be charged for food per week. I think it is 55 cents per meal or it comes out to approximately $16.

What a number of crew leaders do in our area is not serve a beverage with the meal, no coffee for breakfast, no water or milk or anything like this with lunch or dinner. They do sell the soda at very much marked up prices. They do sell the wine, at double the price.

So that when one of the workers says, "Andrew gets it all," he does get it all.

Senator BELLMON. Andrew is the crew leader?

Reverend BRYANT. He is the crew leader.

Senator BELLMON. So you are saying then that these men, in effect, work for room and board and beverage and then when the end of the summer comes they don't have enough money to get back to Arkansas?

Reverend BRYANT. That is right.

Senator BELLMON. Did you talk to any of these men who were in this man's crew?

Reverend BRYANT. Myself?

Senator BELLMON. Yes.

Reverend BRYANT. Yes, many times, sir. We had five VISTA workers living in that camp over a period of 3 years and we knew most of these men intimately, and I know them still.

Senator BELLMON. Were the same men working in the camp each of the 3 years?

Reverend BRYANT. No.

Senator BELLMON. They were not the same men?

Reverend BRYANT. Charlie White was there for 2 years. Charlie had lost a finger when he arrived at the camp in an earlier accident and the Legal Aid Society of New York told him he had better not leave New York if he wanted to collect the workmen's compensation. So that that is why he stayed around.

The last time I saw Charlie was just before Christmas of this past year. He was in the hospital with pneumonia and is still waiting for his workmen's compensation.

Senator BELLMON. Who pays his hospital bill?

Reverend BRYANT. The Welfare Department of the County of Suffolk.

Senator BELLMON. Then the point I was trying to get to is that these men are recruited by the crew leader, they work, and at the end of the summer they have nothing for their labor except their board and room.

Are they recruited for a second year? Will they come back again or not?

Reverend BRYANT. A number of the men find that they are so repressed or suppressed in this migrancy process that they grow very greatly dependent upon the crew leader and they do tend to stick with him.

As you can see in Andrew's actions he pulls for his men as he says. They do tend to trust him. It is a little difficult to leave a camp, just walk off. If the crew leader doesn't need you he may let you just go, but a normal method of control is to call the police or call the farmer who calls the police when a man seeks to walk off and try to hitchhike.

Then the man is brought back to the camp. The question is whether he has stolen something. Then the question is asked, "Do you want to press charges" and the crew leader says "Not if he behaves himself" and so the man generally stays at least for that season or until some point at which he can break out.

Far too many of the men hit the bottle, from depression and boredom, and when they reach their attachment to the bottle, there is no way out.

This cheap wine is a very debilitating thing. By the way, they don't see that wine until they hit the State of New York. A lot of these men never heard of Twister or Ariba until they landed in one of our camps and then they are caught up.

Senator BELLMON. Are most of these men single men without families or do they have families back home?

Reverend BRYANT. The process that is happening is that the families are disappearing and men who are unattached singles or separated or divorced are the men who are recruited. This is very economical because they can be put in the bullpen and the old type of apartment housing no longer has to be used.

The first thing that happened after this film was made was that the apartment housing was razed. A new bullpen was erected and the Child Care Center was commandered for the use of another crew.

Senator BELLMON. I have another question.

According to the information that you gave or the film showed, the Teamsters Union allowed a reduction in the guaranteed hours of work from 40 down to 26. Is this accurate?

Reverend BRYANT. Yes.

This is local 202 which is no longer operating on Long Island. It did pull out after the film was made. The first thing you have to realize is that the 1960 contract was made up——

Senator BELLMON. Which year, 1960?

Reverend BRYANT. The 1960 contract which called for 160 work hours and a 4-week work period was set up by the Farm Cooperative when Puerto Ricans were beging brought into the camp. The farmers switched to black continental labor where there is no protection at all.

The closer the man is to home the less protection he has. The Teamsters moved in with their 26-hour work contract which wasn't really kept in any case that I knew. This 26 hours was not adhered to.

Typical work hours according to the Suffolk County Labor Department study was 20 hours a week in 1966. So the contract was not very important.

By the way, I think that this is a very relevant thing. The powerlessness of the migrant is tied directly to his lack of coverage under the National Labor Relations Act.

The Teamsters Union could not provide bargaining power for the migrant. As a matter of fact, the contract was signed not between the migrant and the processor but between the migrant and the crew leader, and the crew leader was often the one who collected dues.

Thank God, that has gone out of existence. The key to the whole powerlessness of the migrant worker is that back in 1935 other segments, just about every segment of our economy except for farmworkers and domestics or kitchen help, people who work for members of their own family, were excluded from the Labor Relations Act.

Everybody in the country had their rights as citizens, their inalienable rights enhanced. By moving them up they had an additional inalienable right. But the farm laborers were left behind without the right of collective bargaining and without recognition of the State for their organizational ability.

Other segments of our economy fought themselves up to the top or jockeyed for positions in our economic structure but these people have been rendered powerless or less citizens than the rest of us.

There were approximately 4 million slaves in the United States in 1860 when we went to war in the Civil War. The Labor Relations Act exclusion meant that approximately 4 million people in the United States were less citizens than other people.

This is the source of their powerlessness. They cannot in any way work for themselves. The union doesn't mean the same thing for a migrant worker as it means for any other citizen.

Senator BELLMON. Then this Local 202 of the Teamsters Union in your opinion was not an effective voice or bargaining agent for the workers?

Reverend BRYANT. It was not at all.

Senator BELLMON. Why? Was it because of this particular union not being well led? Was this a problem?

Reverend BRYANT. Even if it were a problem, whoever led the union couldn't possibly have represented these people properly because it would not have been respected in collective bargaining procedures.

Senator BELLMON. Mr. Chairman, that is all the questions I have. I would like to again go back to this point about this pickup load of strawberries. I think if your film is to have any credence that has to be corrected because that is patently impossible that that be the case. I would not like to see all your work made questionable because of that lack.

Mr. SILVERSTEIN. Suppose I provide the committee and yourself in particular with some of the original documents that I made at the time.

Senator MONDALE. I think that would be a good idea, Mr. Silverstein, if you submit by letter some factual material.

Mr. SILVERSTEIN. I would be happy to.

(The letter referred to follows:)

NATIONAL EDUCATIONAL TELEVISION,
New York, N.Y., July 14, 1969.

Senator WALTER F. MONDALE,
Chairman, Subcommittee on Migratory Labor,
U.S. Senate, Washington, D.C.:

Mr. Chairman and Members of the Committee: Thank you, first of all, for your kind invitation to testify at the June 9th hearing and for the courtesy given each of us during it.

As to the question raised by Senator Bellmon, I would like to provide some items from notes and tape recordings made on location during the filming almost two years ago in the hope of clearing up the Senator's question. He was incredulous that a load of strawberries could sell for "close to $200" with six migrant workers earning $2 each for that day's labor, as the narration cited.

1. A tape recording of the auctioneer exists in which he states: "Today we had a high market here because of the scarcity of strawberries. Anywhere between I'd say $7.50 and $10.55."

The auctioneer refers to the price each crate yielded on that July day in 1967. It is our recollection that the strawberries were the variety known as Jersey Belles, if that is of any significance to the Senator.

2. Although it was of no interest to me at the time of filming, I have since obtained the information that strawberries are generally packed sixteen quarts to the crate.

3. Farmer Lindsay subsequently claimed that he had sold nineteen crates or three hundred and four quarts (this stated to a N.Y. agricultural department spokesman who had interviewed some of the farmers after the film).

4. Farmer Lindsay, on tape, says in response to my questions as to how he had made out on the auction block: "Them last three days I done alright. The auction block's alright."

The farmer's quote as to how much he received (the "close to $200 figure) is not on tape, having been made verbally to myself and three other members of our film unit, but with these facts the price range per quart of the strawberries auctioned that day can easily be determined ($7.50 to $10.55 per crate).

Senator Bellmon obviously has used the $12 figure for six men, or $2 apiece as the film states, to arrive at his figures per quart.

If items one through four have shed some further light on the strawberry figure permit me to further substantiate the earning statistic:

5. During the course of our filming (from June to December, 1967) our own observations and interviews showed that the farmers never paid any of the migrants directly; rather, all checks were given to the crew leader, who then made his deductions before cashing the check (as the film of pay-day demonstrates).

Here are some further excerpts from tape recordings made with migrants:

Q. They give just one big fee to Anderson for the workers?

A. No, they give each individual man a check.

Q. The farmer makes that check out?

A. He makes that check out.

Q. And the Lindsays and the Chudiaks and the McBrides?

A. Right. For each individual man they make out an individual check, but it's given to Anderson in an envelope or whatever. And then the man goes into Anderson to get his check.

From another tape recording with a migrant worker:

Q. We filmed the berry picking about three weeks ago and Lindsay gave little cardboard chips.

A. Yeah, to every quart.

Q. Now what happens to those little pieces?

A. Well, you keep them, you turn 'em in, they show how many berries you done pick. When you keep them, then turn 'em in and they pay you your cash money.

Q. Who pays you?

A. Well, he give it to Anderson, but sees you turn them chips back to him. But he give the money to Anderson and Anderson pay you.

Q. What's the feeling on Friday's, on paydays?

A. Well, payday arrive and they ain't got none. One or two had three or four dollars. If a man makes $65 when Anderson get through showin' you what you owe in the kitchen and what you owe him, you ain't got nothin'. Three or four dollars, he give you that. You can't argue with him. He gets you to sign 'em and then he cash. And then, he'll add up what he owe you, then say well, you owe me $35 or $40 out of a fifty dollar check.

From a third tape recording with a migrant worker on the same subject of deductions and expenses:

Q. An average breakfast is how much, the charge?

A. Well, I would say an average breakfast, coffee is around eighty-five, around eighty-five cents.

Q. About eighty-five cents. What do you get for eighty-five cents?

A. One sausage and two biscuits and some rice and a little butter in it. That's all. Cup of coffee. That's eighty-five cents. And then you get a pack of cigarettes; that's forty cents. You get them sandwiches; one of them sandwiches cost you twenty cents apiece. Spiced ham and two slices of bread. And you can look through the spiced ham like that.

Q. How much is the sandwich?

A. Twenty cents apiece.

Q. Is that the one some of the men take with them?

A. Right. That's right.

Q. That's what they have for lunch?

A. That's what they have for lunch.

Q. How about if they want something more substantial for lunch, what do they do . . .

A. They have to buy it. They have to buy it if they got the money. That's all she gonna feed them, a sandwich. When we're digging potatoes that's what she feed us, a sandwich. They don't get no hot lunch; they just get a sandwich and a pop. Only two hot lunches they get is supper and breakfast.

Q. At supper, what happens?

A. Oh, they have mostly beans.

Q. Hominy grits, is that part of the . . .

A. No. No, they have some big bean, meat . . . spaghetti sometime.

Q. What's the average cost for dinner?

A. Same price, eighty-five. Eighty-five, ninety cents, something like that.

Q. How about Twister, I see bottles of Twister there.

A. One dollar.

Q. Which is forty-nine cents in town.

A. That's right, it's one dollar here. Whiskey, two and a half.

Q. A pint?

A. Half a pint.

Q. How much for a cup of coffee?

A. Ten cents.

Q. How much coffee in there for ten cents? What does it taste like?

A. More water than it is coffee, you know that. And milk. It got more water in it than it has milk.

You gotta take whatever they give you or don't take nothing at all. Can't talk too much; they jump you and beat you all up.

Thus, with a system which operates in this manner, I trust it will no longer seem unbelievable that migrant workers could receive $2 a day for their labor.

Permit me one further note. The farm spokesman mentioned earlier claimed that Mr. Lindsay said he had paid his men not $12, but "30.40", or $5.07 for each of the six men.

I still dispute this, based on my verbal interview with the men who worked the strawberry field that day and our observation of how men got paid and how much and with what degradation during the entire six month period.

But, even assuming for the sake of discussion that the men received $5.07, not $2 that day, since when is $5.07 a subsistence wage for any working American?

(This wage, not incidentally, is from the farmer who is quoted on tape as saying: "Migrants aren't men at all, but two-legged animals.")

One last note: Following the program, the NY State Joint Legislative Committee on Migrant Labor conducted their own investigation. Their March 19, 1968 letter to me from its Chief Counsel states:

"It is felt by myself and the Chairman of this Committee that your film was a fair representation of the migrant labor situation, not only in Suffolk County, but in the state of New York, with the exception, sad as it may seem, that the housing conditions for migrant farm laborers and their families in Suffolk County are better than those in other counties in the State of New York."

I earnestly hope that Senator Bellmon's question has been answered. I regret, however, that on June 9th, we had to spend so much valuable time on this point instead of concentrating entirely on the foremost obligation of ourselves, and of your committee: the liberation of those Americans who have been all too accurately described as "the slaves we rent".

If we can be of any further assistance in any way, please contact us.

Sincerely,

MORTON SILVERSTEIN,
Producer, Public Affairs.

STATEMENT OF REV. ARTHUR BRYANT, PASTOR, ST. PETER'S LUTHERAN CHURCH, GREENPORT, N.Y.; VICE CHAIRMAN, SUFFOLK COUNTY HUMAN RELATIONS COMMISSION; CHAIRMAN, SOUTHOLD TOWN VISTA PROJECT

Reverend BRYANT. Powerlessness: The last time I saw Charlie White, a central figure in the documentary "What Harvest for the Reaper?" he was bedridden at the Eastern Long Island Hospital and hoping to overcome his pneumonia.

That was in December 1968. Charlie had left Andrew Anderson's crew and gone to work for Isaiah Moore. He contracted pneumonia while working in an unheated, toiletless potato shed in Peconic, Long Island. I asked him whether he had received his workmen's compensation as yet. He said he hoped to get it within a few days.

This 74-year-old man, former construction worker, had entered the migrant stream at the age of 72 because he didn't want to go on the dole and his daughters in Florida had too little money to care for him. Within a few days of his arrival at Cutchogue he lost a finger while loading a truck at the camp.

There was a dispute between the crew leader and the farmer over who was responsible for compensation. The legal aid society was consulted and Charlie was advised to not leave New York State if he wanted to receive his compensation. So, 2 years later, an old man with pneumonia was waiting to receive his way out momentarily.

In April 1969, I spoke with Alfonso Terrell at the Cutchogue labor camp. Alfonso, brother of prize fighter Ernest Terrell, had lost a finger. He said it wasn't so bad while he was in the hospital because he received his meals regularly and had a clean bed. But at the camp he had no money and could see his indebtedness mounting beyond the point where he would ever be able to repay.

It had been several weeks and there was no compensation in sight. Jubilee, from the Aquebogue camp, who had also lost a finger, thought that his situation was worse than Terrell's. His crew leader had asked him to leave the camp. He found a Riverhead family willing to take him in. But in 3 weeks he had received only $19 from the workmen's compensation board.

Powerlessness is the story of Myrtle Lee Grant. Like many others who are in migrancy because they are marked by a physical infirmity—epilepsy is all too common—Myrtle came into migrancy because there was no place left to go.

Myrtle was mute. At age 45, however, Myrtle was happy because VISTA volunteer Gay Krisman was teaching her how to read and write and there seemed to be a way out. But on Sunday, January 14, 1968, she and James and Gussie Farrell burned to death in a crowded shack called the Jacob's camp in Bridgehampton.

Henry Jacobs had 31 heating and sanitary violations filed against his camp over a period of 2 years by the Suffolk County Health Department, but a local justice of the peace had granted postponements on court action through the entire period until a space heater exploded on that bitterly cold day.

Two notes on that fire which engulfed 14 people, injured three and killed three: one was that a door had been nailed shut to keep out the draft and the other was that Myrtle died without being able to cry.

James McNeil died in a Bridgehampton fire just 2 weeks ago. He had escaped the 1968 fire. The landlord and the man who sublet the one room shack argued about whose responsibility it was to pay for electricity. The lights were shut off and James McNeil was using candles.

An interesting sequence to the Bridgehampton burning was the Cutchogue freezing. Isaiah Moore, successor to Andrew Anderson at the Cox Lane camp was well aware of the danger of a space heater exploding.

Like many other crew leaders in the area, he kept the heat turned down during the cold spell in order to be on the safe side. But one day five of his men said that they were too sick to get out of bed and this annoyed Isaiah because he would lose 60 cents a head when they didn't report to work.

So he said that they were not going to stay there and use his kerosene. And then he disconnected the fuel line to the space heater. The men huddled in bed all day and when one of the others returned I received a telephone call about the incident.

I called the health department. But it was too late. Within 2 weeks three of the men died. However, the health department did impose a penalty. The investigation showed that the fuel line was piped above the floor and this was dangerous. Isaiah was told that he had to repipe the line under the floor so that no one would trip over it.

We called the Governor's inter-departmental committee on migrant labor and the New York State Division of Human Rights to investigate the case of James Bittle who died several hours after he was refused admission to the Central Suffolk Hospital.

The 41-year-old laborer from the James Brown camp in Aquebogue complained of fever, chest pains, and difficulty breathing. But the emergency ward doctor said that it was just something going around, prescribed aspirin and oral penicillin and sent the man back to the camp with instructions to see a physician in the morning.

The report of the State HR Division showed that the hospital did not discriminate against black people and the autopsy report showed that the man had died of "fatty liver."

Although any good medical book will tell us that cirrhosis of the liver is caused by either malnutrition or poisoning, such as insecticide poisoning, the county medical examiner told the newspapers that this condition is caused by being "too long on the juice."

After the case was closed, the Riverhead supervisor said he resented having the State brought into a local incident and having the good name of the hospital threatened. Except for the 40 migrants who attended the funeral service, none of the good people of the town resented the death of the black man. As Warren Sayre, a Bridgehampton potato farmer said when the fire destroyed the silent body of Myrtle Lee Grant:

> It's an unfortunate incident, but it's their own fault. They're just a bunch of winos and you know what happens when they get wound up.

Legislated serfdom: Webster's defines "serf": A person adscript to the soil and more or less subject to the will of the owner.

When I asked Governor Nelson Rockefeller why farmworkers were omitted from the New York State Labor Relations Act of 1937 and then subjected to a series of slave laws separate and unequal to the laws governing the stable population, I spoke of the misery created by the nasty space requirements, the unequal minimum wage, the omission of field hands from unemployment insurance, the inadequate fire controls, and the legislated poor diet.

The Governor replied that the laws were enacted to help the plight of the depressed farmer and not to create misery for the farmworker. The Governor was right. That was the historical situation.

However, both the National Labor Relations Act exclusion and the various State labor relations acts with their exclusions produced a serious problem for a democratic society. When the great bulk of our citizens had their inalienable rights of citizenship enhanced by the right of collective bargaining, those without the right became second-class citizens and the States found it necessary to produce a body of slave laws similar to those of Great Britain in the 1770's.

Migrants caught up in the stream are powerless politically, voteless because they are homeless. They are also powerless economically because they are deprived of the right of collective bargaining.

And because they are powerless economically they frequently become powerless to break away and enter into the mainstream of American life. They are serfs subject to the will of the owner and even the finest paternalistic measures accomplish nothing to remove the chains of slavery.

Back in 700 B.C., the prophet Isaiah wrote:

> Woe to those who decree iniquitous decrees, and the writers who keep writing oppression, to turn aside the needy from justice and to rob the poor of my people of their right, that they may make the fatherless their prey, and that widows may be their spoil; (Is. 10:1, 2).

In 1969, the poor of my people are robbed of their right and find themselves powerless before unequal laws.

Rage, suppressed, and repressed: One workman in the documentary "What Harvest for the Reaper?" expresses consciously suppressed anger when he says, "It hurts you inside to get insulted, to get drug down like this."

He releases his anger in an acceptable way when he leads the camp in the singing of old prison songs. Sometimes he gets it out of his system by ordering weaker men around. He is angry because he has no way to force the crew leader to pay him a wage other men in the camp receive.

Finally he uses his controlled rage to con a friend into financing his way out of the migrant stream. He survives. His more pleasant fellow worker says:

> You know what I think? I think it's going to be a better world some day. It's going to be a better world some day.

But this man has driven his rage down deep, repressed and hidden it where it can't escape. His rage is turned against himself because he is powerless to stand up to his crew leader, powerless to stand up to his fellow workers, powerless to change his life.

So he has continued with the stream and moved to a tin-shed camp in Riverhead where a woman is the crew leader. He said to me: "She's worse than Andrew ever was," and then he drank from his pint of Twister. He no longer has a choice. He must commit suicide slowly or quickly. He hates the powerlessness within himself. He hates himself. His dream of a better world will not be in this world.

Occasionally we get glimpses of migrant life. The bullpen is a study in itself. No prison was ever better designed to destroy the identity of a human being. It is the place where the bully rules, where the alcoholic throws up on the floor, where the TB victim coughs in everybody's face. It is the dimly lit room without furniture except beds.

There is no place to read a book, no closet to lock up one's personal belongings, no family, no love, no hope. The State of New York is advanced in that it now prescribes 50 square feet of floor space per man although there is no provision in the State sanitary code for a reading or a recreational room. Most States have now accepted the totally unacceptable standard of 40 square feet prescribed by the U.S. Employment Service.

The city of New York requires 80 square feet of space for any child above the age of 2. When growers protest the destructiveness of the migrant worker in the bullpen, it never seems to occur to them that the crowded, undisciplined minimal standards for bullpen housing are in themselves destructive, violent attacks upon humanity which deserves some form of reciprocation.

Workman Charlie White complains about his inability to keep any of his money and counts up the costs of food and lodging and blanket fees and then speaks of the costs of soda before he says "Andrew's got it all."

What is hidden here is the State law which limits to $16 the cost of food per week per man. Andrew and many others like him have found a way to beat the system. He serves the food with no beverage, no milk, no coffee, no water. He sells an 8-cent can of soda to a man for 25 cents if the purchase is cash; 35 cents on credit.

In a number of camps bottles of Twister or Ariba, 51 cents a pint, are made available on the beverageless table. This costs $1 cash, $1.25 on credit. A man living in a camp 2 miles from the nearest store is powerless to fight the system. For many men the rage is repressed; the wine is preferred and eventually the anger within is only released by death.

When racial troubles flared up at the fireman's block party in my village of Greenport, the rumor swept through the crowd that an angry band of migrants from the Cutchogue labor camp were coming into town in a pickup truck.

I couldn't believe that this was possible. But the troopers thought they had better check it out anyway. At the camp they found the men sleeping, unaware of the outside world. But had they found the men awake and aware, it would have changed nothing. No group is more powerless. No group has suppressed its rage more deeply.

Migrancy is a community sickness. I was asked to process a complaint filed with the New York State Human Rights Commission 3 years ago. A restaurant in Orient, Long Island, distributed menus with a reprint of an article from New York Mirror which said that the meals at the inn were superior and then praised the atmosphere of the place.

The article said that the view from the windows, with darkies working in the fields, brought back a deep nostalgia for the Old South.

The State Commission asked the Suffolk Commission to persuade the owner to remove a piece of literature offensive to many of our citizens. So I drove out to see a man I had known over a period of years to talk reasonably with him.

But when I arrived, I found the inn locked and the windows boarded. I asked neighbors what had happened and learned that the owner had received a copy of the letter sent to our commission, became infuriated, ordered his guests to leave, fired his help, and went out to get drunk. The old inn remains closed.

I was the spokesman for the Eastern Suffolk Cooperative when the farmers sought to obtain a loan-grant package from the Farmers Home Administration in 1966.

When the original request for a $75,000 grant, $25,000 loan to rebuild the camp was turned down, local FHA officials told myself and the farmers that it would be possible to obtain a 66-percent grant, 34-percent long-term loan.

But then the administrative ruling came through that only nonprofit cooperatives and municipalities would be eligible to receive a grant. The farmers came to my office to tell me that the whole thing had fallen through and shortly afterward a New York Times reporter called to check on the progress we were making toward rebuilding the largest migrant camp in Suffolk County.

I told him that we were stopped in our tracks and that the real losers were not the farmers but the migrants. It seemed a shame that the country's legislators had voted large sums of money to correct the scandal of migrant housing and the Department of Agriculture had set administrative rulings to prevent the money from being spent for its intended purposes.

The article appeared in a Sunday issue of the Times and created quite a flurry of public concern. A representative from the Department of Agriculture called me to arrange a renegotiation and, quite apart from this, I received a call from Senator Robert Kennedy's office offering to put heads together on this problem.

A meeting was held in Senator Kennedy's office and I was asked to represent County Executive H. Lee Dennison and the farmers. At this meeting, after much discussion and a number of long-distance telephone calls, an agreement was reached to provide a loan-grant combination for the housing at the Cox Lane Camp in Cutchogue.

But then I asked about percentages. The FHA officials said that there would be a 50-percent loan, 50-percent grant. The farmers said: "No deal unless the grant is 66 percent."

Senator Kennedy's staff agree to search for the $17,000 difference and I drafted a proposal which was sent to 100 foundations. Only the Ford Foundation responded and their comment was that they would fund programing, but not bricks and mortar.

The farmers rejected a plan for a social services trained manager for the camp to replace the crew leader on the grounds that the savings in money would be offset by the trouble the man would cause.

Our new CAP agency had recently been incorporated in Greenport, and we offered to interrelate with the farm cooperative, form a nonprofit cooperative not dominated by growers as the Department of Agriculture had specified in its administrative principles.

The farmers rejected this procedure as an attempt to take their power of control away from them. I approached the town father with a plan to either have the town apply for funds to build and operate a humane camp or allow a nonprofit citizens agency to do the same. I was told that this would be impossible because zoning ordinances forbid the establishment of new camps.

Finally the rebuilding attempt ground to a halt and the dilapidation in the camp continued.

In 1967 the cooperative attempted to close the New York State child care center at the camp on the ground that they were receiving insufficient rent for the space. I protested through the news media and finally compromised for half the building to be used for a child care center.

The other half was taken over by a second crew brought into the camp. Following the film, the child care center was abandoned entirely.

In the fall of 1967, the Suffolk County Labor Department released its report on migrant labor. The report showed that migrants only averaged 26 working hours per week during the season but also noted that migrants seem to have been taken out of the bottom of the barrel.

I was amazed at the callousness of the report and reacted by writing a proposal that the county establish a task force committee on migrancy to intensively study the problems and devise ways to relieve the condition of the existing labor force while establishing a plan to phase out migrancy so that local labor would be utilized.

I asked that migrants, growers, church groups, county agencies, and civil rights groups be represented on the task force. The supervisors rejected the plan until the Bridgehampton fire forced them to bring it out of the desk drawer.

Then the county established the Seasonal Farm Labor Commission, carefully excluded myself and the migrants from participation in the commission, and met biweekly until May 1968. Although a positive vote was taken by that commission to encourage inclusion of the farm laborers in the National Labor Relations Act (or perhaps because such a vote was taken) the report of the commission has not been released as of this date.

I suppose that a visitor to a migrant camp is often repelled by the alcoholism prevalent. What he often does not realize is that a penalty is paid by the whole society when any segment is brutalized and forgotten. The most obvious effects on the overall community are the monetary costs for health, welfare, crime and delinquency; but beyond that the migrant system scars the souls of the masters as well as the slaves.

A pastor hailing from a Pennsylvania Dutch community suggested that a study ought to be made of a community newly injected with a migrant labor force. He spoke of a town he knew where honorable, God-fearing farmers built a migrant camp some years back.

He could remember the change when men, who once confessed their sins when crops did not flourish, became junior executives when they had migrants working under them.

When things went wrong they went out for a beer and said to each other: "Do you know what that damn migrant did today?"

Suddenly they had someone to blame. The pastor noted that separations and divorces seemed to increase when the junior executives adopted a complaining attitude toward their wives. He felt that the role of a pastor in that town degenerated from spiritual leader to ecclesiastical office boy.

He wondered how any community could escape corruption with a migrant system in operation. I thought of that conversation with an old pastor when I learned that a justice of the peace had no sense of justice for migrants caught in a fire trap. I wondered what force is in effect in a State which year after year allows farm labor bills to die in committee without legislators even bringing them to a democratic vote. I wonder about police forces unconcerned about the illegal sale of alcoholic beverages.

How does this affect their operation in the remainder of the community?

The white community often asks why the black community does not go out to help their brothers in distress. The black churches in a migrant community are notorious for their separation from the migrants. An owner of a particularly ugly camp in Riverhead was elected president of his NAACP unit as though his role in migrancy had nothing to do with the civil rights issue.

But then, we have to realize what the black man instinctively realizes, that the 4 million black people excluded as domestics and farm laborers from the Labor Relations Act corresponds directly with the 4 million count of slaves in 1860.

Any black man who identifies himself with migrant labor runs the risk of marking himself with the stain of slavery.

Some local reactions to migrant publicity: The proposal for a Task Force Committee on Suffolk migrancy brought immediate negative reactions from local politicians.

Bryant had gone too far this time and the exclusion of myself from the task force committee represented a deliberate withdrawal of support from both parties on a local level. The first showing of the film on NET brought the comment from one supervisor that I had done more damage to Suffolk County than any man in 100 years. Since my term was running out on the Human Relations Commission, I was informed that I would not be reappointed.

The farmers organized a truth squad and made their own presentation whenever they learned that the film was going to be shown. They complained that the strawberry pickers had actually received $30 for a day's work instead of $6, as though $5 apiece for six men represented a living wage.

They complained that the $3,000 per acre figure quoted in the film sounded like crop value rather than land value, but they did not speak about the annual increase of land valuation which represents profits whether a crop is grown or not.

They did not point out the error I had made when I said that two men died in a fire in the camp when actually four had died. They said that they had been misled into participating in the film, but did not acknowledge that they had signed releases for all their statements.

They obtained the help of the county agricultural agent and showed slides of good buildings in some camps, but never depicted the internal conditions of the bullpens. They hired a lawyer to make sure that they did not say anything to incriminate themselves. They made their presentation to the task force committee and to the joint legislative committee on migrant labor in Albany.

An organization known as the Sons of Liberty—a breakoff from the too liberal John Birch Society—distributed a mimeo flyer on the windshield wipers of every car parked at the Patchogue railroad station. The "Who's Who in Open Housing" paper named seven evil people working for the Communist ideal and said that I was advocating Government takeover of farm land and proposing collective farming as in Red China.

The directors of the Eastern Suffolk Cooperative had stayed up quite late one night to watch my appearance on the Alan Burke show with Dolores Huerta of the United Farm Workers. So they invited me to a meeting without telling me the purpose ahead of time.

Because the rumor had spread that I was going to receive a second scar on my head to match the one I had received in an auto accident in Cutchogue, I asked two large VISTA lawyers to accompany me for bodyguards or legal advice, whatever ensued.

The farmers were represented by a well-dressed man who spoke of laws for a while and then revealed himself to be a leader in the John Birch Society. The purpose of the meeting was to inform me that my TV association with Mrs. Huerta suggested Communist entanglements.

Steve Doroski called one night to inform me that he had agreement from councilmen in my church that I was to be fired. As a matter of fact, two church councilmen resigned their posts and giving dropped off in the church. But the bulk of the congregation voted to apply for program funds from the Lutheran Church of America to provide an assistant minister and a secretary to work at the migrant problem.

The Greenport Rotary Club and people in Greenport in general showed a half-hearted support for attempts to rid Southold Town of migrancy. Greenport School is 20-percent black in the grades and one man thought it would be useful to stop these people from moving in.

The suggestion of violence came from many sides in Southold, though, and one undertaker spent an evening telling me that he didn't want to have my funeral service. But violence did not come. Only pressure, suggestions about moving, and an occasional telephone call asking about the health of that Nigger loving pastor.

The bureaucratic sidestep: A pattern seems to emerge every time light is shed on some separate and unequal treatment of farmworkers. As a sample, consider Suffolk establishing a farm labor commission with the voice of the grower but without the voice of the migrants whose destiny is involved. There seems to be a kind of bureaucratic sidestep when there is an issue. A structure is set up which seems to answer the outcry of the public. But the structure is only an optical illusion.

A prime example is the grant project which was provided by the Federal Government for housing codes for the State of New York under section 314 of the Housing Act of 1954. The State was supposed to study existing experience in developing standards for transient housing, including hotels, motels, boatels, travel trailer parks. and migratory worker camps; and based upon this study to develop model standards for such housing and procedures for their enforcement and administration; and to publish and distribute such standards and procedures. The cost of the project was to be $121,746, with the Federal share $81,164 and the State to make up the balance.

The draft of the model code in 1964 and 1966 included migratory farmworker camps in the category of transient housing. But in 1967 all references to migrants had been dropped from the code. A protest was made by radio WMCA and the Suffolk Sun, but this went unheeded. Then a group of people representing human relations commissions, antipoverty agencies, civil rights groups and major unions fired off a telegram to Washington protesting the deliberate omission of migrants from New York State's transient housing code. Finally, information was released to the press that migrants would indeed be covered by New York's housing code.

To understand the situation fully, it must be understood that New York's housing code originally was slated to include three chapters. One was for small cities, a second was for townships, a third was for transients. When Southold Town, for instance, adopted its housing code, there was a clear exemption for migrant labor camps. When I pressed the town board on this issue, it was explained that the omission came about only because migrants were to be covered under the provisions of chapter 3 for transients. Since the town serves many tourists, it seemed that the need for covering them would automatically work a change for the betterment of migrant camp conditions. But this was not to be the case. The State simply used Federal funds to finance a new chapter 4 of the State housing code designed to cover migrants only. This made it easy for rural communities to establish laws for the protection of tourists without having to disturb local farmers. Since the migrants have no lobby, there is little possibility that the towns will ever enact the beautiful words of chapter 4 into law. And so a fairly large sum of Federal and State money was spent to create an optical illusion.

In July 1967, the U.S. Employment Service announced that at the beginning of the new year it would require 50 square feet of living space for each migrant processed. The statement in itself was only dressing in that the Employment Service has no power of enforcement except that it may withhold labor after 3 years of violations.

However, the word had spread and the notice provided a convenient excuse for the Health Department of New York when its archaic space requirements came under attack in "What Harvest for the Reaper?"

In response to pressure relative to the housing code and pressure from citizens who had viewed the film, New York amended its chapter 15 of the sanitary code through administrative procedure within the health department and prescribed 50 square feet of living space for migrants housed in camps of five or more persons.

Shortly thereafter, under considerable pressure from the farm lobby, the U.S. Employment Service reduced its standards to 40 square feet. But it was too late for lobbies in the State of New York.

Even though 50 square feet of space—the size of the top of a pool table—is an affront to human dignity, the farmers complained that the cost for remodeling camp housing was prohibitive.

Now, this is understandable. Any time a man pays more for something than it is worth to him, the cost is prohibitive. Since potatoes are worth more than human lives on the market, storage sheds are usually well ventilated, buttressed, concrete buildings in excellent repair.

Migrant housing, World War I barracks, shacks, abandoned buses, et cetera, reflect a sense of important values in our society. Costs for people are always prohibitive and sometimes this can be used to persuade the democratically elected representatives of the people.

So Senator Theodore Day of New York's Committee on Agriculture and Markets joined with Senator Earle Brydges of the rules committee and introduced a remedial bill in the New York Senate.

Assemblyman Walkley of Wyoming County introduced its companion to the assembly in the 1969 session of the legislature. The James Bond license to kill bill proposed that camps licensed in 1967—before the change in the sanitary code—would be allowed 10 years before having to conform to the new standards of the health department.

An attempt was made to create a new optical illusion, allow the public to think that things had changed while, in fact, they hadn't. However, word leaked out and public pressure stopped this effort in committee.

But one bill was passed in New York which caused many fellow pastors to congratulate me on a victory. This was the bill which provided a $1.40 minimum wage for farmworkers. Again, we saw a prize example of legislative slight of hand.

Suffolk workers are already getting $1.57 an hour average wage. Some are earning as high as $1.70 an hour. The illusion comes into focus when you move through the body of laws protecting farmworkers.

The rule is that the minimum always becomes the maximum. The rule applies in housing standards, nutrition, and in wage scales. The wage rate will tend to reduce pay rather than increase it.

And this is further complicated by the existence of downtime which allows pay to stop on the job when machinery stops. Thus a worker may put in an 8-hour day and only be paid for 4 so that $1.40 an hour in many cases will actually mean only 70 cents an hour in the paycheck.

And this will be further diminished by the absence of a workweek contract in the industry. A man trapped in housing 2,000 miles from his home is used like a high school boy who mows lawns. His minimum hourly pay has little to do with his take-home pay at the end of a week. And finally, by what logic of thinking do we decide that $1.60 is the minimum necessary to keep a resident worker from starving while a transient needs only $1.40?

Antipoverty projects are on the surface a boon to the farm labor community. But they are prohibited from unionizing activities and thus have no way to allow the worker a say in his own destiny.

Band aid projects multiply in number, but little changes. Projects are set up to train men for carpentry, plumbing, electrical wiring, et cetera, but no way is found for the men to increase their earning power within the industry and only occasionally do we find ways to help a man escape from the industry.

Much is made about correcting illiteracy, and this is good, but other uneducated men earn $3.50 an hour at auto industry jobs and still others earn $4.50 a hour at the proving grounds in Nevada. It is only an illusion to suppose that a man who learns how to drive a tractor will ever be able to earn a livable income as long as he pursues farm labor as an occupation.

A grower sits on the personnel committee of the committee which will administer title 3 antipoverty projects for the State of New York. Two winters ago he denied heat to his Puerto Rican laborers and a local citizen drove a bus into the camp to rescue the men. Perhaps he is reformed and we must not condemn a man for his past sins. But no farm laborer sits on that committee to protect his own rights.

On May 15, 1969, I introduced the following resolution to the Second Annual Conference of State Directors of Migrant Education at Atlantic City, N.J.

> Whereas the Second Annual Conference of State Directors of Migrant Education, representing 47 States, is committed to relieving the poverty and powerlessness of migrant farm labor families through educational process and
>
> Whereas close association with farm labor families has revealed that the principal obstacle to meaningful change in a farm laborer's life is the system of separate and unequal laws which deny him full citizenship rights and opportunities enjoyed by others in this country, to wit: (1) He is excluded from the protection of the National Labor Relations Act and therefore cut off from any voice in his economic destiny, (2) he is paid a minimum wage determined by law to be substantially less than that provided for other Americans and (3) he is housed in buildings deemed unfit for permanent residents and, according to law, lives under crowded conditions which hinder his full human development; we therefore support all legislation written to provide the farm worker with rights and opportunities equal to that of other Americans. We favor inclusion of the farm laborer under the 1935 National Labor Relations Act but oppose a separate and unequal Farm Labor Relations Act now in congressional committee as a basically inadequate proposal.

The reactions were a fascinating study of fear within the bureaucracy. An attempt was made to amend the resolution so that the first "whereas" would be omitted and the resolution would end with the words: "educational process."

A man stood up to explain that the whole philosophy of migrant education was contained in the resolution. If educators were not committed to setting free the migrants, then they must restrict themselves to educate only to adjustment in slavery. The amendment was defeated.

A number of speakers stood up to speak about having only a delicate relationship with the growers which they didn't want to endanger. Such a resolution might make the camp "no trespassing" signs apply to teachers. A resolution was then made to refer the resolution to the executive committee of 17 States for action at lunch. The committee of 17 then voted to table action and once again we saw the bureaucratic sidestep.

Suffolk's hot potato: Following the film, I led a legislative action program to secure petition signatures and letters to key legislators.

During the 1969 session of the legislature I gathered 5,000 petition signatures and stimulated approximately 2,000 letters on behalf of migrant legislation with special emphasis upon removing the exclusion of farm laborers from the New York Labor Relations Act of 1937.

I also personally wrote twice to each State senator and assemblyman. Of course, all bills were finally killed in committee because I did not have enough awarerness of proper key people outside of the legislature.

In April, I joined with the Suffolk Council of Churches and Seasonal Employees in Agriculture—a title III program—in inviting Congressman Allard Lowenstein, of the congressional agriculture committee, to investigate migrant camp conditions.

And then the word came through that a replacement had been arranged to take my place on the Suffolk Human Relations Commission, that the farmers had circulated petitions for the man, and that word had come down from "high up" and through many committees to my town supervisor that I must be replaced.

Word also came through that my principal defender in the other party had rescinded his decision to block my replacement. Then this appeared in the newspapers. Letters and telegrams in support came from the Federated Unions of Long Island, the League of Women Voters, the University Women, the Civil Rights Co-ordinating Committee, and from many key union and political officials.

Suffolk CORE and NAACP offered to picket the home of each of the 10 supervisors if I was dumped and finally a meeting was held between the Suffolk Human Relations Commission and the Suffolk Board of Supervisors. The issue was not Bryant, but migrants.

The meeting ended in a stalemate with the replacement withdrawing and the supervisors not making a reappointment. It is an open question whether an unpaid position of a Human Relations Commission makes me a civil servant or civil enemy.

New Church and Union Concern: As of this month, the Lutheran Church in America has funded St. Peter's Lutheran Church, Greenport, N.Y., to operate a program of mission, social mission, and legislative programing on behalf of the 24,000 migrant workers who enter the State of New York annually.

The $20,000 package includes funds for an assistant minister, a secretary, and office and traveling expenses. As of next month, Mr. Charles Kerrigan, of the United Automobile Workers, has promised UAW funds for the organization of farmworkers into their own indigenous union.

Whether the workers elect to affiliate with the United Farm Workers of California or to establish themselves locally as an independent organization is a matter for the workers to decide themselves. There will be an attempt to educate State labor organizations at the grassroots level concerning labor's commitment to the farm laborer.

In addition, efforts will be made by the New York State OEO to establish Suffolk County as a model community for migrant workers. A group of doctors are now formulating plans to relieve the nutritional problems of migrant workers and treat the symptomatic depression that usually afflicts the worker.

A group of nuns are seeking to establish nursing services for migrants. A number of college students are establishing a migrant service center to act in an ombudsman role for the workers.

The health department has agreed to rigorously enforce existing code requirements. A number of activist women have agreed to be present at all court trials relative to camp violations and alert the public to unnecessary postponements which endanger the lives of human beings.

The newspapers are watching the situation closely and the support of the Long Island Catholic is especially encouraging. Reinhold Van Dyke of the Long Island Council of Churches reports that he will have a social worker to assist him as migrant coordinator. And, in general, the picture looks more favorable on the east coast than it has in years.

Let us end the atrocities: It is with great gratitude that I, for one, receive this invitation to speak before a friendly and powerful group of legislators. I remember my part in the fight to gain rights and decent living conditions for the fishermen who worked out of New Bedford, Boston, and New York.

We knew what it meant to work under a crew leader who could break watches at will and cause us to work for 3 or 4 days without sleep. We knew what it meant to be far away from home with no way of escape under harsh conditions.

But we had a union—and although our educational level was low—we fought our battle and obtained the kinds of rights we knew we needed.

I see no essential difference between agricultural workers and fishermen in their right to strike at harvest time so that life is shown to be more important than food.

I remember my 10 friends who sunk on the hulk called the *Gayhead* and the 11 men who went down on the *Margie and Pat* which was held together with guy wires. I see no difference between them and the migrants who burn in shacks, who drink for relief from physical and nutritional torture, who knows the loneliness of life without a family.

I am a fisherman and I had the Labor Relations Act to protect me. When I walk into a migrant camp, I am reliving my past. But I had a way out.

I am an American and so I have rights. My farm labor friends, Myrtle Lee Grant, James Bittle, Alf Terrell, Jubilee, and James McNeil should have had rights, too. We are all Americans. Can't we insure it that no brother is entitled to less opportunity than we have?

When this country is torn by strife and people who say that democracy is dead, can't we demonstrate that we believe in our system sufficiently to extend the full rights of citizenship to our "rented slaves," to the poorest of the poor?

There should be no such thing as a powerless American.

Senator MONDALE. Thank you for a most eloquent statement.

Reverend BRYANT. One factor that we have not considered here is the role of the crew leader as the inbetween man before these men were paid.

Senator MONDALE. When I was down in McAllen, Tex., along the Texas-Mexico border, we talked to a lot of the workers who were waiting to be picked up. Some particularly young Mexican kids, I would say 16 or 17 years old, came up to me and complained that they had worked for 3 days and hadn't gotten a penny, that the crew chief had taken it all out and told them that it was for social security, all of it.

Reverend BRYANT. At the hearings which Mr. Lowenstein conducted in Riverhead recently, one worker came up and showed me a payroll receipt for $120 for a week's work and he said, "Can you tell me why I was only paid with a $20 bill."

How can I tell him why he was only paid with a $20 bill? But this is a very frequent thing.

Senator BELLMON. Would you say then that this particular crew chief, Anderson, was fairly typical?

Reverend BRYANT. Andrew, as I said, was more sophisticated than the average crew chief. He seemed to have a better level of education. He was smoother. I was there the day that he was hired for the job. We had one good farmer in that cooperative who died unfortunately just before this film was made, and when he died all controls let loose at the camp.

I remember when Brick Stelzer hired him and the first year we had VISTA workers who checked over everything he did and said. That was the year he lost money. When he learned the tricks of the game he made money and he made it very fast. That is what happens to most of these men.

Senator MONDALE. Senator Schweiker.

Senator SCHWEIKER. Thank you, Mr. Chairman.

I would like to address a few questions to the panel, whoever has the information.

About how many migratory workers are there on Long Island? Do you have a rough idea?

Reverend BRYANT. Approximately 2,000 now. Nobody knows the exact figure. We had up to about 4,000 a couple of years ago and the number has diminished constantly. Figures are taken about September 15, the peak of the season. There is no count made of the number who come and go, or of those, for instance, who are there for 8 months to a year and are called migrants but are really permanent residents.

The count on the number of people in camps of less than five is a completely speculative thing. There is no way of getting statistics on this.

Senator SCHWEIKER. Is there one camp that serves the area or more than one camp?

Reverend BRYANT. There are 87 camps. There were 89 at the time the film was made.

Senator SCHWEIKER. On Long Island?

Reverend BRYANT. Yes; this is in Suffolk County. There are several in Nassau County, in addition to nurseries.

Senator SCHWEIKER. What is the average camp population?

Reverend BRYANT. It runs about 25, The Cutchogue camp, when it had all the buildings in operation, ran about 230 at one time. It is down to about 80 at present.

Senator SCHWEIKER. Where do most of the 2,000 come from or is it pretty diversified?

Reverend BRYANT. Florida, Arkansas. Five hundred of the workers would be Puerto Rican laborers.

Senator MONDALE. Do they come from out of New York City or up from Puerto Rico?

Reverend BRYANT. They generally come from Puerto Rico itself.

Senator MONDALE. Just for the season?

Reverend BRYANT. There are Puerto Rican people recruited from New York but the majority are recruited in Puerto Rico. I think we counted 74 of them who were contract laborers. The rest came in without contracts because some friend of the farmer knew somebody in Puerto Rico and the men came up on their own.

Senator SCHWEIKER. What do you mean by contract laborer?

Reverend BRYANT. That is a laborer protected by the Commonwealth of Puerto Rico. That guarantees a minimum wage. It guarantees the 160 hours of work in a 4-week period, burial expenses and a few things like this, certain health provisions.

This, by the way, is something that we have been encouraging the State of New York to adopt. If the Commonwealth can protect its laborers, there is no reason why a State receiving labor cannot protect with that kind of contract.

It would make for a great deal more efficiency in the migrant system if farmers had to be better administrators of the workers that they are using.

Senator SCHWEIKER. How many workers if any are from the city or bussed locally. Are there any migrants that are bussed locally each day?

Reverend BRYANT. There are a few but no statistics have been taken. I am trying to find this out myself. I have a man in Jamaica who is making checks on the number of men picked up at the Jamaica railroad station, for instance, but I don't know the figures.

Senator SCHWEIKER. Is the reason they go as far away as Arkansas simply because they don't have other close by labor available, Puerto Rican or otherwise?

Reverend BRYANT. No; I think it is simply that in the South—I work with the Human Relations Commission and I have become fairly familiar with the educational systems in the South and with work systems—as far as the black man is concerned, the minimum wage laws often do not apply in many communities for maids and people of this type. So people are more easily conned into coming north for the big trip from the South and they are able to be conned into coming out from New York City.

They have ideas about what could happen, they could make a pile of money and come back with something for Santa Claus, as Andrew told them.

So certain southern communities where the crew leaders come from are just ripe for the picking and men can be picked up.

Senator SCHWEIKER. You mentioned or someone mentioned in the film a $1.15 an hour wage. Is that correct?

Reverend BRYANT. That is Federal minimum wage.

Senator SCHWEIKER. This is Federal or State or both?

Reverend BRYANT. Federal.

Senator SCHWEIKER. What about a State regulation. Do you have a State regulation?

Reverend BRYANT. Up until this year New York State had no minimum wage for farm laborers, but this year they adopted one at $1.40 an hour.

Senator SCHWEIKER. So it will become $1.40 later on this year?

Reverend BRYANT. It will become effective this year but the $1.40 an hour is still 20 cents less than the minimum wage for any other worker.

Senator SCHWEIKER. But above the Federal minimum?

Reverend BRYANT. No, the Federal minimum wage is $1.30 an hour.

Senator SCHWEIKER. It went up to $1.30 and New York will be $1.40.

Reverend BRYANT. As to the minimum wage, we have to take a look at something. The workers on Long Island are already receiving $1.57 an hour average and this applies to most of New York State.

Talking to farm people who present their side of the picture, the general pattern is:

> This State has to compete with that State and its standards and we dare not go too far out of line. Otherwise we are going to be in trouble. Our expenses on our crops will be too high.

The rule is that the minimum standards always become the maximum. What I see in the $1.40 minimum wage is a tendency to lower the wage of the farmworker rather than to increase it. I think we will find that as the year goes on, more and more employers will conform to the minimum wage rather than go beyond it and the $1.57 wage will tend to shrink.

Senator SCHWEIKER. What about the mechanization there. Is that moving rapidly or is there little mechanization or will the migratory labor in the area eventually be out of a job. Where does mechanization stand in that area?

Reverend BRYANT. Mechanization increased after the film mainly because there were more and more men who wanted to get rid of the headache.

Generally, mechanization has proceeded very slowly in Suffolk County, because our land is going to become housing land.

I don't think, for instance, that potatoes ought to be the crop in Long Island. We have first-grade land. Potatoes are only a valuable crop every 5 years when there is a drought elsewhere on the eastern seaboard. In the years between, there is no money from them.

What the farmers are able to grow is land with a good tax cut. Land value is going up approximately $500 per year per acre.

Senator BELLMON. Land goes up $500 an acre?

Reverend BRYANT. For instance, in the Aquebogue region, just a short way from Cutchogue, a group of farmers have now committed themselves to sell their land at $5,000 an acre when the land developer chooses to have it. There is a real estate deal going on.

When the proposition goes right, the land is sold. The value of the land is rapidly increasing. That $5,000 an acre land will overnight become $10,000 an acre as soon as the developer touches it. As soon as the houses are up, it will be worth $20,000 an acre.

So there is a definite land deal involved. One of the interesting aspects of that was that Riverhead violated its own zoning code in order to allow trailers for migrant workers. The story was that this was going to be a great improvement in housing for the workers, and it was.

But they set a 9-month restriction on how long those trailers could be inhabited, which means that as soon as the land becomes available for development purposes those people who are on it will not be black residents so that overnight a land housing black people can be cleared of the black people and new development processes take place at good rates.

That is the general psychology of the thing.

Senator SCHWEIKER. How far are the migrant camps that we are talking about from downtown New York City for example?

Reverend BRYANT. They are 80 to 100 miles from New York City. You also have some camps that are within 50 miles of New York City. The most important thing is how far the migrant camp is from the nearest community, and usually that is about 2 miles.

The workers can't go shopping and actually get free of the camp.

Senator SCHWEIKER. Thank you, Mr. Chairman.

Senator MONDALE. You worked in this area on the human relations council for how many years?

Reverend BRYANT. Since 1963, when the commission was formed.

Senator MONDALE. You have already testified that in that process you have tried to come to know the workers themselves and talk to them?

Reverend BRYANT. Yes.

Senator MONDALE. And to gain an understanding of what their lives are like. You were familiar I take it with many of the workers in the film that we have just seen?

Reverend BRYANT. Yes.

Senator MONDALE. I gather from what you said earlier that it is your testimony that there is not now any union representation to assert the rights of the farmworkers in wages or working conditions or job security or any of the other elements that have long since been generally accepted in the industrial sectors of the American economy?

Reverend BRYANT. That is right.

Senator MONDALE. And there was an element pictorialized in the documentary about the news that came to the farmworkers that another farmer was paying more than they were receiving. Some of the farmworkers thought of leaving or putting pressure on their current employer to raise their salaries accordingly but that was not successful.

In other words, even though they might make more nearby for some reason they didn't find themselves able to bring any power to bear to bring themselves the larger return?

Reverend BRYANT. Well, the only one they could bring power to bear on would be the crew leader and they are absolutely powerless before the crew leader.

Senator MONDALE. What power does the farmworker have in relationship to the crew leader in terms of the deductions that he makes? For example, I think you mentioned a 55-cent meal. Do the farmworkers in fact have any power that they can bring to bear about the quality of the meal?

Reverend BRYANT. Not really.

They can try to walk off the camp but they are pretty far from home so that they can't really do anything.

Senator MONDALE. Their only remedy is to get home.

Reverend BRYANT. That is right, or get out of the stream somehow, settle in the community if they can.

Senator MONDALE. What can you say of the educational level and sophistication of these farmworkers that we saw in the film?

Reverend BRYANT. Most of them have a fairly low educational level but are intelligent.

Senator MONDALE. Do they have any skills other than farm work?

Reverend BRYANT. Quite frequently. Charlie White has been a construction worker all his life. He is in migrant labor because he is past the age to be able to work in construction. I met a number of older men who have had previous trades and skills, but this is one place where a poor old man could earn a living, or felt that he could earn a living, and not go on the dole. Part of the psychology of the average migrant is that he wants to fulfill the American dream.

Senator MONDALE. In other words, he doesn't want to be on welfare?

Reverend BRYANT. That is right.

Even though most of these men are eligible for partial welfare, a subsistence allowance in Suffolk County, almost none of them go on welfare. They don't want it. They don't want to be wards of the community. They are trapped by the American dream of working hard, making something and going someplace and they are psychologically held back.

Senator MONDALE. In the film they point out that Mr. Anderson the crew chief went around soliciting these people to come up and work on the grounds that they are going to set aside several hundred dollars and, as he put it, be a good Santa Claus.

The film says in fact that most of them went home in debt. Is that accurate in your opinion?

Reverend BRYANT. Yes; very definitely. Most of the men left in debt. One of the things the film didn't talk about, for instance, happened just before the camera crew arrived. Andrew had recruited 24 people of Puerto Rican extraction from New York City to pick strawberries, and the season was late. It was very rainy that year and those men not only didn't get any work at all but they were alert enough to realize what the charges were to be put on them and they went out into the woods with clubs and clubbed rabbits so that they would have food and cooked it on their own and went up to the sound and tried to dig clams for themselves and they finally walked off. This was just before the film began.

Senator MONDALE. There are some existing regulations as to farmwork, housing, sanitation and the rest. Are those laws and regulations totally enforced at all times in your community?

Reverend BRYANT. No. The system works like this: The grower or the cooperative or processor is notified ahead of time that there is going to be an inspection made. Then the inspection is made at a time when conditions are usually at their best.

Now, occasionally there is an attempt at a crackdown. Several problems come up and here is where you run into your court system.

Right after the film was made there was a serious fire in Bridgehampton, Long Island, in which three people burned to death. The Henry Jacobs camp in Bridgehampton had 31 violations filed against it for heating and space requirements.

Senator MONDALE. This is where the fire occurred, is that right?

Reverend BRYANT. Yes. This was over a period of 2 years. Each time the thing came before the local justice of the peace, he postponed action and there was no action taken at all until the workers had burned to death and the attempted action led to Mr. Jacobs having a heart attack and so nothing ever really was accomplished except that he died and the camp was closed.

Mr. Borella in Syosset had charges brought against him for not providing sufficient ventilation for his camp. A number of us went to the court every time the thing came up to sort of exert public pressure. We wanted the law enforced.

Borella's attorney came forth with a countersuit against the department of health for trespassing. The interesting thing was that the county was found guilty of trespassing or entering the property without a search warrant and Borella sent his men home because he was through with them and no action took place.

Very frequently when the health department does attempt to crack down nothing happens. I know that our health department man and a labor department man were both assaulted in their attempt to review the conditions of one camp in Bridgehampton and nothing happened after that.

Once again they were trespassing.

Senator Mondale. I assume it is manifestly obvious that the migrant does not have any political power in the community?

Reverend Bryant. He has none.

Senator Mondale. He is not a resident and doesn't vote so that if there is a regulation which affcets him, housing or minimum wage, the officer who is charged with enforcing it is aware of the fact that he might offend some forces who live and vote in that community. He knows that if he does not enforce it that it will only offend some deprived temporary help who don't live and vote there.

Reverend Bryant. That is right.

Senator Mondale. There is no union to assert his rights. He is not politically powerful and most of them are culturally deprived and have low levels of education, training, et cetera.

What would you say about their power in terms of labor availability? Have there been efforts in which farmworkers have tried to assert their rights, and have been replaced, that you are aware of.

Reverend Bryant. I have not seen any efforts of the farmworkers to assert their rights. I think they are about the most passive group of people I have ever met in my life. I think the conditions in a bullpen make men like this. A bullpen is a room without discipline. It is where the bully rules, where the alcoholic throws up on the floor and there is broken glass on the floor.

It is a place where you can't lock up your personal belongings, a place where you can't read a book. It is a place without furniture. I think the housing in itself degrades the man and dehumanizes him and finally renders him completely helpless to fight about anything.

Senator Mondale. I think this is an element that is often ignored. We talked earlier about the visibility of the problems of the poor. It is the psychological and human destruction that finally brings a man to live a sort of shadow life where he dimly perceives his problems and is less able to assert his rights as we always assert them in our own communities.

What about your role, Reverend. You are a troublemaker in the community talking up for these people. How have you been received? I am the son of a Methodist minister and have a couple of ideas.

Reverend Bryant. Let us put it this way.

In the early days when I tried to help the farmers get money from the Farmers Home Administration to rebuild that camp that was a deal where they wanted a 75 percent grant and 25 percent loan and then thought they were going to get a 66⅔ percent grant and a 33⅓ percent loan, I was a hero and they took me out and wined and dined me.

Senator MONDALE. That is when they wanted Farmers Home Administration money.

Reverend BRYANT. That is when they wanted money. When we finally got a deal for them where they could get a 50 percent grant and a 50 percent loan they cried, "No deal." They didn't want that because it was going to cost them too much money.

Senator MONDALE. This is for housing?

Reverend BRYANT. That was for the attempt in 1966 to rebuild the camps. So as long as I was on that side of it it was all right.

But as soon as I began to put pressure on the farmers because of their closing of the child care center then I was becoming an enemy. When I wrote the task force committee proposal for Suffolk County the Task Force Committee on Migrancy, that is when I became politically undesirable.

Senator MONDALE. Were there efforts to silence you?

Reverend BRYANT. Yes, sir.

Senator MONDALE. How would these efforts be made?

Reverend BRYANT. The effort was made primarily to dump me from the Human Relations Commission. There were also some efforts made following the film by some of the farmers to influence members of my church council to get me fired from my church. There were some efforts in the local newspaper to call me a political opportunist.

There were some telephone calls in the middle of the night and things alongthis line. So far I have managed to survive. I think maybe it is because I have been out there 13 years. That is kind of a record.

Senator MONDALE. Have you received any help from State or national associations of churches who might be interested since many of them are trying to do a better job of asserting interests?

Reverend BRYANT. Well, on a State level, no; not particularly. From my synod, the Metropolitan Synod of New York, I received considerable help.

For instance, we ran a legislative action campaign, circulated throughout all of our churches for contracts for workers, minimum wage on a par with other workers of the State, for coverage by the State Labor Relations Act, et cetera, and we got 5,000 signatures and through civic groups, et cetera, we were able to get approximately 2,000 letters.

Of course, the State ignored all this. It really produced no action. But now the Lutheran Church in America on its national level has what they call an ACT program, an acting crisis program which is set up to counterbalance the drop in economic opportunity funds on the governmental level and out of that I will be receiving approximately $20,000 to provide me with an assistant and secretary and some travel expenses, et certera.

Senator MONDALE. Do farmworkers in this film, or in your community, have legal help? Is there an OEO legal service program or maybe a bar association financed effort that permits them to turn to somebody when they think their rights are denied?

Reverend BRYANT. I had a very interesting experience. I headed the Suffolk Town VISTA project and I have had two attorneys assigned to me.

Senator MONDALE. VISTA attorneys?

Reverend BRYANT. Yes; and VISTA did a very interesting thing. I told them in the first place they could offer legal advice but not try legal cases even though one had passed the bar in the State of New York.

But VISTA provided no automobiles so I have men who have no access to legal libraries.

Senator MONDALE. Has a lawsuit been brought on behalf of the farmworkers in any respect?

Reverend BRYANT. There was a lawsuit brought in upper New York for trespassing.

Senator MONDALE. But none in behalf of the farmworkers in your area?

Reverend BRYANT. No.

I know there is going to be some support from the United Automobile Workers. There is going to be an attempt to organize the men. Money has been earmarked for this purpose not to organize them in the United Automobile Workers but to provide an organizer so that they can form their own union and then decide where they are going to belong. It is their choice, their thing.

What will probably happen is that they will organize and then they will petition for the right of collective bargaining and they will be denied by the State of New York and then a constitutional issue will come up because New York State has some very interesting items in its constitution which suggest that this depriving of a segment of the population of their rights may be unconstitutional. This kind of lawsuit will come up.

Steve Doroski has told me that if I want to try the no-trespassing test he will be prepared to bring it all the way to the Federal courts.

Senator MONDALE. But at this point it is fair to say that the average aggrieved farmworker in your community does not have available to him an attorney to assert his rights. He can't afford it and there are no OEO legal services.

You have VISTA attorneys to which you have made reference.

Reverend BRYANT. Who have been rendered ineffective. He really doesn't have any legal possibilities. He has access to legal-aid services if he can reach it, but not for the kind of cases that would change his condition.

Senator MONDALE. In other words, he might receive some personal assistance, but if it threatens the power structure, he won't.

Senator Bellmon.

Senator BELLMON. Mr. Chairman, may I ask one question.

Did you see an effort on the part of any farm organization to become involved in the effort to help migratory workers?

Reverend BRYANT. Any efforts on the part of a farm organization?

Senator BELLMON. Yes; Farmers Union, Farm Bureau?

Reverend BRYANT. No; Farm Bureau has been dead set against anything we have for the farmworkers. I did find in Albany some sympathetic reaction from the Grange. I am a fifth-degree member of the Grange and from an upstate county and these are primarily nonusers of migrant laborers.

I think that segment of the farm population is kind of disgusted with what goes on in this other half of the farm population which says that it needs exploited labor in order to survive.

I would like to make a couple of comments on some side things.

One, I think looking over the economic picture since 1935, I think that the farmer, the small farmer has been hurt as much as the farm laborer by the denial of the Labor Relations Act.

It has been the big man, the big processor who is able to take the most advantage of exploited labor. He runs a much more economical operation and there has been a constant pattern as recorded by the task force committee in New Jersey of large farms swallowing up small ones.

It has been a constant thing and it is happening in my area and has been happening in upstate New York where the large grower takes over the small one and the small grower has no bargaining powers with his processor.

I think the powerlessness has affected the farmer as well as it has affected the farmworker. I think, too, that some study ought to be made of the effect of farm labor when it is introduced into a new community because a pastor friend of mine pointed out what happened in a community in Pennsylvania, I believe Media, but I am not certain.

He remembered when farm labor was brought in and these God-fearing Pennsylvania Dutch men began to use this kind of labor.

Before they had the labor, anything went wrong on the farm they always said:

> I must have sinned. There is something wrong. There is something wrong. There has to be something bad here with my relations with God.

But once they had the labor then a new thing happened. They became junior executives. They would go downtown and have a beer and say, "You know what that damn labor did today" and complain.

What my friend noted was that he seemed to see in that community an increase in the divorce rate because attitudes changed toward wives and I have caught glimpses of this with several of the members of the board of directors of this cooperative.

There are stories that I would rather not tell you now. Their relationship toward their wives became one where they were the boss, she was to jump around, and the relationship in the church where you know in the German communities there has always been the Herr Pastor, the honored leader of the community, and in that community the pastor became sort of an ecclesiastical office boy, and I am convinced that for instance in a community like ours police become corrupted. If they have to pass by the illegal sale of alcoholic beverages or they may be called into raid a crap game that is held in the bull pen and ignore the crap game that the crew leader is running over in the other building, there is a corruption that takes place and if it takes place there it has to take place in other areas of the community.

There is sort of a withdrawal on the part of the farmers. Instead of being aggressive people in their marketing, et cetera, they have a guilt, and I think that it holds them back from their free expression or their free development.

I think the farmer and the farm community has been as much the loser as the farmworker but I don't think they realize it.

Senator MONDALE. Well, I should say for the record that the Farmers Union (NFU), and the National Farmers Organization (NFO), have both indicated support of the National Labor Relations Act inclusion which I think shows some of the concern for the average family farmer.

Reverend BRYANT. Along those lines though I know that there is a new farm labor Relations Act being proposed. My personal feeling is that in every area of the farmworker's life he has had laws passed for him that are separate and unequal from the rest of the population. These laws are for the most part parallel to slave laws that were built up by Great Britain just prior to our Revolution.

Most of these laws would be completely unnecessary if the worker had the same rights and opportunities as any other human being. If he is to be included in the Labor Relations Act it should be the 1935 Labor Relations Act, the Wagner Act.

Senator MONDALE. That is what the Senate bill, S. 8, provides.

Reverent BRYANT. This is what it has to be and it cannot be a separate thing which gives him no power to strike in the harvest. Once they sign a contract, all contracts, the United Farm Workers have a no strike, no lockout clause. At that time they ought to have, you know.

There is nothing to worry about in a strike of harvest time with a union which has a contract. The only time you have worries about strikes is when the contract is violated or the contract is dropped. If a Labor Relations Act comes into being which forbids strikes at key times then the people have no power and it is useless.

My trade is commercial fishing. I have lived on the forecastle. I have worked with farmhands who came out of the State of Maine, potato pickers. I know the struggle that the Atlantic Fishermen's Union went through in order to get decent living conditions, to get sound boats that we could go out on and not be sunk.

I see strong parallels between the fight of the fishermen for their rights and the fight of the farmworkers for their rights. I cannot understand why we make food more sacred than life.

The food seems to be such a particularly important item that we always have to protect it. When we were fishermen if we had to dump a catch in order to prove a point we dumped it and we went broke but we made our point and gained our rights and I see no reason why farm labor can't do the same thing.

Senator MONDALE. Thank you very much, gentlemen, for an excellent contribution. Reverend Bryant, we will place your prepared statement in the record at this point, I along with some of the documents that you have filed with the subcommittee.

(The prepared statement of Reverend Bryant along with other pertinent material follows:)

PREPARED STATEMENT OF REV. ARTHUR C. BRYANT, PASTOR, ST. PETER'S LUTHERN CHURCH, GREENPORT, N.Y.; VICE-CHAIRMAN, SUFFOLK COUNTY HUMAN RELATIONS COMMISSION; CHAIRMAN, SOUTHOLD TOWN VISTA PROJECT

Poverty and Powerlessness, U.S.A.

POWERLESSNESS

The last time I saw Charlie White, a central figure in the documentary "What Harvest for the Reaper?", he was bedridden at the Eastern Long Island Hospital and hoping to overcome his pneumonia. That was in December 1968. Charlie had left Andrew Anderson's crew and gone to work for Isaiah Moore. He contracted pneumonia while working in an unheated, toiletless potato shed in Peconic, L.I. I asked him whether he had received his workmen's compensation as yet. He said he hope to get it within a few days. This 74 year old man, former construction worker, had entered the migrant stream at the age of 72 because he didn't want to go on the dole and his daughters in Florida had too little money to care for him. Within a few days of his arrival at Cutchogue he lost a finger while loading a truck at the camp. There was a dispute between the crew leader and the farmer over who was responsible for compensation. The legal aid society was consulted and Charlie was advised to not leave New York State if he wanted to receive his compensation. So, two years later, an old man with pneumonia was waiting to receive his way out momentarily.

In April 1969, I spoke with Alfonso Terrell at the Cutchogue Labor camp. Alfonso, brother of prize fighter Ernest Terrell, had lost a finger. He said it wasn't so bad while he was at the hospital because he received his meals regularly and had a clean bed. But at the camp he had no money and could see his indebtedness mounting beyond the point where he would ever be able to repay. It had been several weeks and there was no compensation in sight. Jubilee, from the Aquebogue camp, who had also lost a finger, though that his situation was worse than Terrell's. His crew leader had asked him to leave the camp. He found a Riverhead family willing to take him in. But in three weeks he had received only $19.00 from the workmen's compensation board.

Powerlessness is the story of Myrtle Lee Grant. Like many others who are in migrancy because they are marked by a physical infirmity (epilepsy is all too common), Myrtle came into migrancy because there was no place left to go. Myrtle was mute. At age 45, however, Myrtle was happy because VISTA volunteer Gay Krisman was teaching her how to read and write and there seemed to be a way out. But on Sunday, January 14, 1968, she and James and Gussie Farrell burned to death in a crowded shack called the Jacob's camp in Bridgehampton. Henry Jacobs had 31 heating and sanitary violations filed against his camp over a period of two years by the Suffolk County Health Department, but a local justice of the peace had granted postponements on court action through the entire period until a space heater exploded on that bitterly cold day. Two notes on that fire which engulfed fourteen people, injured three and killed three. One was that a door had been nailed shut to keep out the draft and the other was that Myrtle died without being able to cry.

James McNeil died in a Bridgehampton fire just two weeks ago. He had escaped the 1968 fire. The landlord and the man whe sub-let the one room shack argued about whose responsibility it was to pay for electricity. The lights were shut off and James McNeil was using candles.

An interesting sequence to the Bridgehampton burning was the Cutchogue freezing. Isaiah Moore, successor to Andrew Anderson at the Cox Lane camp was well aware of the danger of a space heater exploding. Like many other crew leaders in the area, he kept the heat turned down during the cold spell in order to be on the safe side. But one day five of his men said that they were too sick to get out of bed and this annoyed Isaiah because he would lose 60¢ a head when they didn't report to work. So he said that they were not going to stay there and use his kerosene. And then he disconnected the fuel line to the space heater. The men huddled in bed all day and when one of the others returned I received a telephone call about the incident. I called the health department. But it was too late. Within two weeks three of the men died. However, the health department did impose a penalty. The investigation showed that the fuel line was piped above the floor and this was dangerous. Isaiah was told that he had to re-pipe the line under the floor so that no-one would trip over it.

We called the Governor's Inter-departmental committee on Migrant Labor and the New York State Division of Human Rights to investigate the case of James Bittle who died several hours after he was refused admission to the Central Suffolk Hospital. The 41 year old laborer from the James Brown camp in Aquebogue complained of fever, chest pains, and difficulty breathing. But the emergency ward doctor said that it was just something going around, prescribed aspirin and oral penicillin and sent the man back to the camp with instructions to see a physician in the morning. The report of the State H R Division showed that the hospital did not discriminate against black people and the autopsy report showed that the man had died of "fatty liver". Although any good medical book will tell us that cirosis of the liver is caused by either malnutrition or poisoning (such as insecticide poisoning), the County Medical examiner told the newspapers that this condition is caused by being "too long on the juice". After the case was closed, the Riverhead supervisor said he resented having the State brought in to a local incident and having the good name of the hospital threatened. Except for the forty migrants who attended the funeral service, none of the good people of the town resented the death of the black man. As Warren Sayre, a Bridgehampton potato farmer said when the fire destroyed the silent body of Myrtle Lee Grant: "It's an unfortunate incident, but it's their own fault. They're just a bunch of winos and you know what happens when they get wound up."

LEGISLATED SERFDOM

Webster's defines "serf": a person adscript to the soil and more or less subject to the will of the owner. When I asked Governor Nelson Rockefeller why farm workers were omitted from the New York State Labor Relations Act of 1937 and then subjected to a series of slave laws separate and unequal to the laws governing the stable population, I spoke of the misery created by the nasty space requirements, the unequal minimum wage, the omission of field hands from unemployment insurance, the inadequate fire controls, and the legislated poor diet. The Governor replied that the laws were enacted to help the plight of the depressed farmer and not to create misery for the farm worker. The Governor was right. That was the historical situation. However, both the National Labor Relations Act exclusion and the various state labor relations Acts with their exclusions produced a serious problem for a democratic society. When the great bulk of our citizens had their inalienable rights of citizenship enhanced by the right of collective bargaining, those without the right became second class citizens and the states found it necessary to produce a body of slave laws similar to those of Great Britain in the 1770's. Migrants caught up in the stream are powerless politically, voteless because they are homeless. They are also powerless economically because they are deprived of the right of collective bargaining. And because they are powerless economically they frequently become powerless to break away and enter into the main stream of American life. They are serfs subject to the will of the owner and even the finest paternalistic measures accomplish nothing to remove the chains of slavery. Back in 700 BC, the prophet Isaiah wrote: "Woe to those who decree iniquitous decrees, and the writers who keep writing oppression, to turn aside the needy from justice and to rob the poor of my people of their right, that they may make the fatherless their prey, and that widows may be their spoil." (Is 10:1, 2) In 1969, the poor of my people are robbed of their right and find themselves powerless before un-equal laws.

RAGE, SUPPRESSED AND REPRESSED

One workman in the documentary "What Harvest for the Reaper?" expresses consciously suppressed anger when he says "It hurts you inside to get insulted, to get drug down like this." He releases his anger in an acceptable way when he leads the camp in the signing of old prison songs. Sometimes he gets it out of his system by ordering weaker men around. He is angry because he has no way to force the crew leader to pay him a wage other men in the camp receive. Finally he uses his controlled rage to con a friend into financing his way out of the migrant stream. He survives. His more pleasant fellow worker says: "You know what I think? I think it's going to be a better world some day. It's going to be a better world some day!" But this man has driven his rage down deep, repressed and hidden it where it can't escape. His range is turned against himself because he is powerless to stand up to his crew leader, powerless to stand up to his fellow workers, powerless to change his life. So he has continued with the stream and moved to a tin-shed camp in Riverhead where a woman is the crew leader. He said to me: 'She's worse than Andrew ever was", and then he drank from his pint of Twister. He no longer has choice. He must commit suicide slowly or quickly. He hates the powerlessness within himself. He hates himself. His dream of a better world will not be in this world.

Occassionally we get glimpses of migrant life. The bull pen is a study in itself. No prison was ever better designed to destroy the identity of a human being. It is the place where the bully rules, where the alcoholic throws up on the floor, where the T.B. victim coughs in everybody's face. It is the dimly lit room without furniture except beds. There is no place to read a book, no closet to lock up one's personal belongings, no family, no love, no hope. The State of New York is advanced in that it now prescribes 50 square feet of floor space per man although there is no provision in the state sanitary code for a reading or a recreational room. Most states have now accepted the totally unacceptable standard of 40 square feet prescribed by the U.S. Employment Service. The city of New York requires eighty square feet of space for any child above the age of two. When growers protest the destructiveness of the migrant worker in the bull pen, it never seems to occur to them that the crowded, undisciplined minimal standards for bull pen housing are in themselves destructive, violent attacks upon humanity which deserve some form of reciprocation.

Workmen Charlie White complains about his inability to keep any of his money and counts up the costs of food and lodging and blanket fees and then speaks of the cost of soda before he says "Andrew's got it all". What is hidden here is the State law which limits to $16 the cost of food per week per man. Andrew and many others like him have found a way to beat the system. He serve the food with no beverage, no milk, no coffee, no water. He sells an 8¢ can of soda to a man for 25¢ if the purchase is cash, 35¢ on credit. In a number of camps bottles of Twister or Ariba, 51¢ a pint, are made available on the beverageless table. This costs $1.00 cash, $1.25 on credit. A man living in a camp two miles from the nearest store is powerless to fight the system. For many men the rage is repressed and the wine is preferred and eventually the anger within is only released by death.

When racial troubles flared up at the firemen's block party in my village of Greenport, the rumor swept through the crowd that an angry band of migrants from the Cutchogue Labor Camp were coming into town in a pickup truck. I couldn't believe that this was possible. But the troopers thought they had better check it out anyway. At the camp they found the men sleeping, unaware of the outside world. But had they found the men awake and aware, it would have changed nothing. No group is more powerless. No group has suppressed its rage more deeply.

MIGRANCY IS A COMMUNITY SICKNESS

I was asked to process a complaint filed with the New York State Human Rights Commission three years ago. A restaurant in Orient, Long Island, distributed menus with a reprint of an article from the New York Mirror which said that the meals at the inn were superior and then praised the atmosphere of the place. The article said that the view from the windows, with darkies working in the fields, brought back a deep nostalgia for the old south. The State Commission asked the Suffolk Commission to persuade the owner to remove a piece of literature offensive to many of our citizens. So I drove out to see to a man I had known over a period of years to talk reasonably with him. But when I arrived, I found the inn locked and the windows boarded. I asked neighbors what had happened and learned that the owner had received a copy of the letter sent to our commission, became infuriated, ordered his guests to leave, fired his help, and went out to get drunk. The old inn remains closed.

I was the spokesman for the Eastern Suffolk Co-operative when the farmers sought to obtain a loan-grant package from the Farmer's Home Administration in 1966. When the original request for a $70,000 grant, $25,000 load to rebuild the camp was turned down, local FHA officials told myself and the farmers that it would be possible to obtain a 66% grant, 34% long term loan. But then the administrative ruling came through that only non-profit co-operatives and municipalities would be eligible to receive a grant. The farmers came to my office to tell me that the whole thing had fallen through and shortly afterward a New York Times reporter called to check on the progress we were making toward re-building the largest migrant camp in Suffolk County. I told him that we were stopped in our tracks and that the real losers were not the farmers but the migrants. It seemed a shame that the country's legislators had voted large sums of money to correct the scandal of migrant housing and the Department of Agriculture had set administrative rulings to prevent the money from being spent for its intended purposes. The Article appeared in a Sunday issue of the Times and created quite a flurry of public concern. A representative from the Department of Agriculture called me to arrange a re-negotiation and, quite apart from this, I received a call from Senator Robert Kennedy's office offering to put heads together on this problem. A meeting was held in Senator Kennedy's office and I was asked to represent County Executive H. Lee Dennison and the farmers. At this meeting, after much discussion and a number of long distance telephone calls, an agreement was reached to provide a loan-grant combination for the housing at the Cox Lane camp in Cutchogue. But then I asked about percentages. The FHA officials said that there would be a 50% loan, 50% grant. The farmers said: "No deal unless the grant is 66%. Senator Kennedy's staff agreed to search for the $17,000 difference and I drafted a proposal which was sent to 100 foundations. Only the Ford Foundation responded and their comment was that they would fund programming, but not bricks and mortar. The farmers rejected a plan for a social services trained manager for the camp to replace the crew leader on the grounds that the savings in money would be off-set by the trouble the man would cause. Our new CAP agency had recently been incorporated in Greenport and we offered to inter-relate with the farm co-operative, form a non-profit co-operative not dominated by growers as the Department of Agriculture had specified in its administrative principles. The farmers rejected this procedure as an attempt to take their power of control away from them. I approached the town fathers with a plan to either have the town apply for funds to build and operate a humane camp or allow a non-profit citizens agency to do the same. I was told that this would be impossible because zoning ordinances forbid the establishment of new camps. Finally the re-building attempt ground to a halt and the delapidation in the camp continued.

In 1967 the co-operative attempted to close the New York State child care center at the camp on the grounds that they were receiving insufficient rent for the space. I protested through the news media and finally compromised for half the building to be used for a child care center. The other half was taken over by a second crew brought into the camp. Following the film, the child care center was abandoned entirely.

In the fall of 1967, the Suffolk County Labor Department released its report on migrant labor. The report showed that migrants only averaged 26 working hours per week during the season but also noted that migrants seem to have been taken out of the bottom of the barrel. I was amazed at the callousness of the report and re-acted by writing a proposal that the County establish a task force committee on migrancy to intensively study the problems and devise ways to relieve the condition of the existing labor force while establishing a plan to phase out migrancy so that local labor would be utilized. I asked that migrants, growers, church groups, county agencies, and civil rights groups be represented on the task force. The supervisors rejected the plan until the Bridgehampton fire forced them to bring it out of the desk drawer. Then the County established the Seasonal Farm Labor Commission, carefully excluded myself and the migrants from participation in the commission, and met bi-weekly until May, 1968. Although a positive vote was taken by that commission to encourage inclusion of the farm laborers in the National Labor Relations Act (or perhaps because such a vote was taken) the report of the commission has not been released as of this date.

I suppose that a visitor to a migrant camp is often repelled by the alcoholism prevalent. What he often does not realize is that the alcoholic farm worker is not the input but the end product of a system. What he does not realize is that the alcoholic migrant is symptomatic of a sickness in our society which regards slavery with nostalgia. What he does not realize is that a penalty is paid by the whole society when any segment is brutalized and forgotten. The most obvious most obvious effects on the overall community are the monetary costs for health, welfare, crime and delinquency; but beyond that the migrant system scars the souls of the masters as well as the slaves.

A Pastor hailing from a Pennsylvania Dutch community suggested that a study ought to be made of a community newly injected with a migrant labor force. He spoke of a town he knew where honorable, God-fearing farmers built a migrant camp some years back. He could remember the change when men, who once confessed their sins when crops did not flourish, became junior executives when they had migrants working under them. When things went wrong they went out for a beer and said to each other: "Do you know what that damn migrant did today?" Suddenly they had someone to blame. The Pastor noted that separations and divorces seemed to increase when the junior executives adopted a complaining attitude toward their wives. He felt that the role of a Pastor in that town degenerated from spiritual leader to ecclesiastical office boy. He wondered how any community could escape corruption with a migrant system in operation. I thought of that conversation with an old Pastor when I learned that a justice of the peace had no sense of justice for migants caught in a fire trap. I wondered what force is in effect in a state which year after year allows farm labor bills to die in committee without legislators even bringing them to a democratic vote. I wonder about police forces unconcerned about the illegal sale of alcoholic beverages. How does this affect their operation in the remainder of the community?

The white community often asks why the black community does not go out to help their brothers in distress. The black churches in a migrant community are notorious for their separation from the migrants. An owner of a particularly ugly camp in Riverhead was elected President of his NAACP unit as though his role in migrancy had nothing to do with the civil rights issue. But then, we have to realize what the black man instinctively realizes, that the four million black people excluded as domestics and farm laborers from the Labor Relations Act corresponds directly with the four million count of slaves in 1860. Any black man who identifies himself with migrant labor runs the risk of marking himself with the stain of slavery.

SOME LOCAL REACTIONS TO MIGRANT PUBLICITY

The proposal for a Task Force Committee on Suffolk migrancy brought immediate negative re-actions from local politicians. Bryant had gone too far this time and the exclusion of myself from the task force committee represented a deliberate withdrawal of support from both parties on a local level. The first showing of the film on NET brought the comment from one supervisor that I had done more damage to Suffolk County than any man in a hundred years. Since my term was running out on the Human Relations Commission, I was informed that I would not be re-appointed.

The farmers organized a truth squad and made their own presentation whenever they learned that the film was going to be shown. They complained that the strawberry pickers had actually received $30 for a day's work instead of $6, as though $5 apiece for six man represented a living wage. They complained that the $3,000 per acre figure quoted in the film sounded like crop value rather than land value, but they did not speak about the annual increase of land valuation which represents profits whether a crop is grown or not. They did not point out the error I had made when I said that two men died in a fire in the camp when actually four had died. They said that they had been mislead into participating in the film, but did not acknowledge that they had signed releases for all their statements. They obtained the help of the County Agricultural agent and showed slides of good buildings in some camps, but never depicted the internal conditions of the bull pens. They hired a lawyer to make sure that they did not say anything to incriminate themselves. They made their presentation to the Task Force Committee and to the joint legislative committee on migrant labor in Albany.

An organization known as the Sons of Liberty (a breakoff from the too liberal John Birch Society) distributed a mimeo flyer on the windshield wipers of every car parked at the Patchogue railroad station. The "Who's Who in Open Housing" paper named seven evil people working for the Communist ideal and said that I was advocating government takeover of farm land and proposing collective farming as in Red China.

The Directors of the Eastern Suffolk Co-operative had stayed up quite late one night to watch my appearance on the Alan Burke show with Dolores Huerta of the United Farm Workers. So they invited me to a meeting without telling me the purpose ahead of time. Because the rumor had spread that I was going to receive a second scar on my head to match the one I had received in an auto accident in Cutchogue, I asked two large VISTA lawyers to accompany me for body-guards or legal advice, whatever ensued. The farmers were represented by a well dressed man who spoke of laws for a while and then revealed himself to be a leader in the John Birch Society. The purpose of the meeting was to inform me that my TV association with Mrs. Huerta suggested communist entanglements.

Steve Doroski called one night to inform me that he had agreement from Councilmen in my Church that I was to be fired. As a matter of fact, two Church Councilmen resigned their posts and giving dropped off in the Church. But the bulk of the congregation voted to apply for program funds from the Lutheran Church in America to provide an assistant minister and a secretary to work at the migrant problem.

The Greenport Rotary Club and people in Greenport in general showed a half hearted support for attempts to rid Southold Town of migrancy. Greenport School is twenty-per cent black in the grades and one man thought it would be useful to stop these people from moving in. The suggestion of violence came from many sides in Southold, though, and one under-taker spent an evening telling me that he didn't want to have my funeral service. But violence did not come. Only pressure, suggestions above moving, and an occasional telephone call asking about the health of that Nigger loving Pastor.

THE BUREAUCRATIC SIDESTEP

A pattern seems to emerge every time light is shed on some separate and unequal treatment of farm workers. As a sample, consider Suffolk establishing a Farm Labor Commission with the voice of the grower but without the voice of the migrants whose destiny is involved. There seems to be a kind of bureaucratic sidestep when there is an issue. A structure is set up which seems to answer the outcry of the public. But the structure is only an optical illusion.

A prime example is the grant project which was provided by the Federal government for housing codes for the State of New York under Section 314 of the Housing Act of 1954. The State was supposed to study existing experience in developing standards for transient housing, including hotels, motels, boatels, travel trailer parks, and migratory worker camps; and based upon this study to develop model standards for such housing and procedures for their enforcement and administration; and to publish and distribute such standards and procedures. The cost of the project was to be $121,746, with the Federal share $81,164 and the State to make up the balance.

The draft of the model code in 1964 and 1966 included migratory farm worker camps in the category of transient housing. But in 1967 all references to migrants had been dropped from the code. A protest was made by radio WMCA and the Suffolk Sun, but this went unheeded. Then a group of people representing human relations commissions, anti-poverty agencies, civil rights groups and major unions fired off a telegram to Washington protesting the deliberate omission of migrants from New York State's Transient Housing code. Finally, information was released to the press that migrants would indeed be covered by New York's housing code.

To understand the situation fully, it must be understood that New York's housing code originally was slated to include three chapters. One was for small cities, a second was for townships, a third was for transients. When Southold Town, for instance, adopted its housing code, there was a clear exemption for migrant labor camps. When I pressed the town board on this issue, it was explained that the omission came about only because migrants were to be covered under the provisions of chapter 3 for transients. Since the town serves many tourists, it seemed that the need for covering them would automatically work a change for the betterment of migrant camp conditions. But this was not to be the case. The State simply used federal funds to finance a new chapter 4 of the State housing code designed to cover migrants only. This made it easy for rural communities to establish laws for the protection of tourists without having to disturb local farmers. Since the migrants have no lobby, there is little possibility that the towns will ever enact the beautiful words of chapter 4 into law. And so a fairly large sum of federal and state money was spent to create an optical illusion.

In July, 1967, the U.S. Employment service announced that at the beginning of the new year it would require 50 square feet of living space for each migrant processed. The statement in itself was only dressing in that the Employment service has no power of enforcement except that it may withhold labor after three years of violations. However, the word had spread and the notice provided a convenient excuse for the Health Department of New York when its archaic space requirements came under attack in "What Harvest for the Reaper?" In response to pressure relative to the housing code and pressure from citizens who had viewed the film, New York amended its Chapter 15 of the Sanitary code through administrative procedure within the health department and prescribed 50 square feet of living space for migrants housed in camps of five or more persons. Shortly thereafter, under considerable pressure from the farm lobby, the U.S. Employment service reduced its standards to 40 square feet. But it was too late for lobbies in the State of New York.

Even though 50 square feet of space (the size of the top of a pool table) is an affront to human dignity, the farmers complained that the cost for remodeling camp housing was prohibitive. Now, this is understandable. Any time a man pays more for something than it is worth to him, the cost is prohibitive. Since potatoes are worth more than human lives on the market, storage sheds are usually well-ventilated, buttressed, concrete buildings in excellent repair. Migrant housing, world war I barracks, shacks, abandoned buses, etc. reflect a sense of important values in our society. Costs for people are always prohibitive and sometimes this can be used to persuade the democratically elected representatives of the people. So Senator Theodore Day of New York's committee on Agriculture and Markets joined to Senator Earle Brydges of the Rules Committee and introduced a remedial bill in the New York Senate. Assemblyman Walkley of Wyoming County introduced its companion to the assembly in the 1969 session of the legislature. The James Bond license to kill bill proposed that camps licensed in 1967 (before the change in the sanitary code) would be allowed ten years before having to conform to the new standards of the Health Department. An attempt was made to create a new optical illusion, allow the public to think that things had changed while in fact they hadn't. However, word leaked out and public pressure stopped this effort in committee.

But one bill was passed in New York which caused many fellow Pastors to congratulate me on a victory. This was the bill which provided a $1.40 minimum wage for farm workers. Again, we saw a prize example of legislative slight of hand. Suffolk workers are already getting $1.57 an hour average wage. Some are earning as high as $1.70 an hour. The illusion comes into focus when you move through the body of laws protecting farm workers. The rule is that the minimum always becomes the maximum. The rule applies in housing standards, nutrition, and in wage scales. The wage rate will tend to reduce pay rather than increase it. And this is further complicated by the existence of down time which allows pay to stop on the job when machinery stops. Thus a worker may put in an eight hour day and only be paid for four so that $1.40 an hour in many cases will actually mean only 70¢ an hour in the paycheck. And this will be further diminished by the absence of a work week contract in the industry. A man trapped in housing two thousand miles from his home is used like a high school boy who mows lawns. His minimum hourly pay has little to do with his take home pay at the end of a week. And finally, by what logic of thinking do we decide that $1.60 is the minimum necessary to keep a resident worker from starving while a transient needs only $1.40?

Anti-poverty projects are on the surface a boon to the farm labor community. But they are prohibited from unionizing activities and thus have no way to allow the worker a say in his own destiny. Bandaid projects multiply in number, but little changes. Projects are set up to train men for carpentry, plumbing, electrical wiring, etc., but no way is found for the men to increase their earning power within the industry and only occasionally do we find ways to help a man escape from the industry. Much is made about correcting illiteracy, and this is good. But other uneducated men earn $3.50 an hour at auto industry jobs and still others earn $4.50 an hour at the proving grounds in Nevada. It is only an illusion to suppose that a man who learns how to drive a tractor will ever be able to earn a livable income as long as he pursues farm labor as an occupation.

A grower sits on the personnel committee of the committee which will administer title 3 anti-poverty projects for the State of New York. Two winters ago he denied heat to his Puerto Rican laborers and a local citizen drove a bus into the camp to rescue the men. Perhaps he's reformed and we must not condemn a man for his past sins. But no farm laborer sits on that committee to protect his own rights.

On May 15, 1969, I introduced the following resolution to the Second Annual Conference of State Directors of Migrant Education at Atlantic City, New Jersey:

Whereas the Second Annual Conference of State Directors of Migrant Education, representing 47 States, is committed to relieving the poverty and powerlessness of migrant farm labor families through educational process and

Whereas close association with farm labor families has revealed that the principal obstacle to meaningful change in a farm laborer's life is the system of separate and unequal laws which deny him full citizenship rights and opportunities enjoyed by others in this country, to wit: (1) He is excluded from the protection of the National Labor Relations Act and therefore cut off from any voice in his economic destiny, (2) He is paid a minimum wage determined by law to be substantially less than that provided for other Americans and (3) he is housed in buildings deemed unfit for permanent residents and, according to law, lives under crowded conditions which hinder his full human development; we therefore support all legislation written to provide the farm worker with rights and opportunities equal to that of other Americans. We favor inclusion of the farm laborer under the 1935 National Labor Relations Act but oppose a separate and unequal Farm Labor Relations Act now in congressional committee as a basically inadequate proposal."

The reactions were a fascinating study of fear within the bureaucracy. An attempt was made to amend the resolution so that the first "whereas" would be omitted and the resolution would end with the words: "educational process." A man stood up to explain that the whole philosophy of migrant education was contained in the resolution. If educators were not committed to setting free the migrant, then they must restrict themselves to educate only to adjustment in slavery. The amendment was defeated. A number of speakers stood up to speak about having only a delicate relationship with the growers which they didn't want to endanger. Such a resolution might make the camp "no trespassing" signs apply to teachers. A resolution was then made to refer the resolution to the executive committee of seventeen states for action at lunch. The committee of seventeen then voted to table action and once again we saw the bureaucratic sidestep.

SUFFOLK'S HOT POTATO

Following the film, I led a legislative action program to secure petition signatures and letters to key legislators. During the 1969 session of the legislature I gathered 5,000 petition signatures and stimulated approximately two thousand letters on behalf of migrant legislation with special emphasis upon removing the exclusion of farm laborers from the NY Labor Relations Act of 1937. I also personally wrote twice to each state senator and assemblyman. Of course all bills were finally killed in committee because I did not have enough awareness of proper key people outside of the legislature. In April, I joined with the Suffolk Council of Churches and Seasonal Employees in Agriculture (a title III program) in inviting Congressman Alard Lowenstein of the congressional agricultural committee to investigate migrant camp conditions. And then the word came through that a replacement had been arranged to take my place on the Suffolk Human Relations Commission, that the farmers had circulated petitions for the man, and that word had down from "high up" and through many committees to my town supervisor that I must be replaced. Word also came through that my principal defender in the other party had rescinded his decision to block my replacement. Then this appeared in the newspapers. Letters and telegrams in support came from the Federated Unions of Long Island, the League of Women Voters, the University Women, the Civil Rights Co-ordinating Committee, and from many key union and political officials. Suffolk CORE and NAACP offered to picket the home of each of the ten supervisors if I was dumped and finally a meeting was held between the Suffolk Human Relations Commission and the Suffolk Board of Supervisors. The issue was not Bryant, but migrants. The meeting ended in a stalemate with the replacement withdrawing and the supervisors not making a re-appointment. It's an open question whether an unpaid position on a Human Relations Commission makes me a civil servant or civil enemy.

NEW CHURCH AND UNION CONCERN

As of this month, the Lutheran Church in America has funded St. Peter's Lutheran Church, Greenport, N.Y., to operate a program of mission, social mission, and legislative programming on behalf of the 24,000 migrant workers who enter the State of New York annually. The $20,000 package includes funds for an assistant minister, a secretary, and office and traveling expenses. As of next month, Mr. Charles Kerrigan of the United Automobile Workers, has promised UAW funds for the organization of farm workers into their own indigenous union. Whether the workers elect to affiliate with the United Farm Workers of California or to establish themselves locally as an independent organization is a matter for the workers to decide themselves. There will also be an attempt to educate state labor organizations at the grass roots level concerning labor's commitment to the farm laborer. In addition; efforts will be made by the New York State OEO to establish Suffolk County as a model community for migrant workers. A group of doctors are now formulating plans to relieve the nutritional problems of migrant workers and treat the symptomatic depression that usually afflicts the worker. A group of nuns are seeking to establish nursing services for migrants. A number of college students are establishing a migrant service center to act in an ombudman role for the workers. The Health Department has agreed to rigorously enforce existing code requirements. A number of activist women have agreed to be present at all court trials relative to camp violations and alert the public to unnecessary postponements which endanger the lives of human beings. The newspapers are watching the situation closely and the support of the Long Island Catholic is especially encouraging. Reinhold Van Dyke of the Long Island Council of Churches reports that he will have a social worker to assist him as migrant co-ordinator. And, in general, the picture looks more favorable on the East Coast than it has in years.

LET'S END THE ATROCITIES

It is with great gratitude that I. for one, receive this invitation to speak before a friendly and powerful group of legislators. I remember my part in the fight to gain rights and decent living conditions for the fishermen who worked out of New Bedford, Boston and New York. We knew what it meant to work under a crew leader who could break watches at will and cause us to work for three and four days without sleep. We knew what it meant to be far away from home with no way of escape under harsh conditions. But we had a union—and although our educational level was low—we fought our battle and obtained the kind of rights we knew we needed. I see no essential difference between agricultural workers and fishermen in their right to strike at harvest time so that life is shown to be more important than food. I remember my ten friends who sunk on the hulk called the "Gayhead" and the eleven men who went down on the "Margie and Pat" which was held together with guy wires. I see no difference between them and the migrants who burn in shacks, who drink for relief from physical and nutritional torture, who know the lonliness of life without a family. I am a fisherman and I had the Labor Relations Act to protect me. When I walk into a migrant camp, I am re-living my past. But I had a way out. I am an American and so I have rights. My farm labor friends, Myrtle Lee Grant, James Bittle, Alf. Terrell, Jubilee, and James McNeil should have had rights too. We are all Americans. Can't we insure it that no brother is entitled to less opportunity than we have? When this country is torn by strife and people who say that democracy is dead, can't we demonstrate that we believe in our system sufficiently to extend the full rights of citizenship to our "rented slaves", to the poorest of the poor? There should be no such thing as a powerless American.

[From the New York Times, Thursday, Dec. 23, 1965]

VISTA BRIGHTENS L.I. MIGRANT CAMP

3 Volunteers Will Spend Christmas With Poor

(By Francis X. Clines)

GREENPORT, L.I., Dec. 22—A few members of the domestic Peace Corps exchanged Christmas good-bys here this week on the rural north fork of Long Island, before separating for the holidays. Two of them headed home, somewhat reluctantly, as three others stayed in the slums and migrant farm camps where they have lived for the last six months.

"I'm apprehensive about my mother," said one of the departing workers, a frail-looking secretary from Malden, Mass. "The last time I saw her, she wept at the sight of the shack I was living in. It was a mistake to let her visit me here."

There's No One Else

The girl, Ellen Upham, smiled, recalling the contrast between her cubicle in the Negro migrant camp and the well-kept house to which she was returning. She left Malden last spring,.enlisting for a year in the Volunteers in Service to America, or Vista, the Government's new charity-at-home program. Her annual pay is $600.

Mrs. Ann Quinn, a diminutive Tucson widow, is putting off a visit to her grandchildren to cook Christmas dinner for five families here.

"There is no one else to do it," she said. "The mothers are sick or working, or just gone."

She added lightly: "I'm ready. It will be a fine Christmas."

A local Lutheran minister, the Rev. Arthur C. Bryant, told of the rapport established by the Vista workers with migrant farmers and slum dwellers. He said:

"It is the envy of community groups that have been trying to reach these people for years."

Harold Bushue, a retired Oregon cannery manager, said that patience and an open attitude were the keys to this rapport.

"You live there in the same shacks as they do," he said. "You don't push your help, and day by day they start to see you really don't have an angle."

"One colored migrant, Old Boney, told me he couldn't help hating me for being white," Mr. Bushue added. "But he also said he respected what I was trying to do."

Mr. Bryant said that the volunteers by moving in with the migrants, had learned "subtle things" that would have been "impossible without deeply rooted communication."

For example, he said: "We learned that, as Southern migrants, the workers needed blankets on August nights. A simple thing, but we were ignorant of it for years."

Problems hitherto not protested because of the migrant's sense of futility, he said, such as clogged toilets, were discovered by the Vista workers and brought to the attention of the farmers responsible for the camps.

"I must say," Mr. Bryan said "that the farmers have been very cooperative."

The volunteer workers were invited here by a group known as Community Action for Southhold Town, which operates in cooperation with the local antipoverty agency.

With only 15 to 20 Negroes remaining in the camp this winter, the Vista workers have been living in the area's slums, which are populated mainly by poor whites.

[From the Long Island Press, Wednesday, Dec. 8, 1965]

LI's Migrant Farm Worker: Beaten, Exploited, Afraid

The migrant farm workers was pictured yesterday as an exploited member of society who all too often must pay to get work and who occasionally is beaten if he complains about his lot.

That picture was painted in Riverhead at a joint legislative committee hearing on ways to improve the working and living conditions of the thousands who follow the sun to harvest the nation's crops.

The hearing ended both with promises of legislative reforms and charges by a Negro committee member that one of the ministers who testified was nothing but an "Uncle Tom."

Much of yesterday's critical testimony was directed at the crew leaders who hire the workers from the farmers and the union leaders, who try to organize them.

When Assemblyman Arthur Hardwick Jr. of Erie County asked why so few workers had showed up to testify, a committee aide replied: "Because they're afraid."

The aide, Suffolk Democratic Chairman Lawrence Delaney, said he and others had talked to 25 migrant workers in an effort to get them to come.

"Some were just afraid to testify," he said. "They told us they might be in trouble."

Delaney was particularly critical of Local 202 of the Teamsters, which he said began organizing migrants when teamster truckers refused to enter processing warehouses.

"Every migrant we talked to pays a dollar a week to the union," Delaney said, "and gets nothing in return."

Delaney's remarks were substantiated by three migrant workers who were persuaded to testify.

Two of them—Clinton Barber and Leroy Wells, both of Calverton—said crew leaders promised them at least 20 hours work a week if they would join a union, but received no benefits.

They and Henry Miller of Riverhead testifed that they often were forced to stay on the job without pay when grading and harvesting machinery broke down.

William S. Hanley, agent for Local 202, said in Manhattan that the efforts of his union have succeeded in raising the workers' base salary to $1.35 an hour.

Hanley estimated that his union represents only about 400 of the 3,500 migrant workers who are on Long Island during the peak summer months.

* * * * * * *

The legislators told of speaking to migrant workers who had Social Security deducted from their pay when they had no Social Security cards.

They also spoke of workers being gouged by crew leaders who sell them liquor when stores are closed. And they spoke of cases of brutality.

James Ruffin, a case worker for the Suffolk Welfare Department, said he knew of instances of workers being beaten or mistreated by crew leaders.

"Some were hospitalized," Ruffin said, "but they were afraid to give information. Witnesses also were afraid to talk."

Prior to the hearing, committee members toured four labor camps in the Riverhead area accompanied by several Suffolk legislators.

Assemblyman Harvey N. Lifset of Albany, committee chairman, said he found the camps were "pretty fair" compared to some of those upstate.

Several clergymen urged the lawmakers to return to Albany and legislate:

Universal coverage of seasonal farm labor by Workmen's Compensation. This is now done voluntarily by many growers and processors.

A $1.25-an-hour minimum wage for agricultural workers.

A universal payroll form which would include "just" deductions for room, board and transportation.

Guaranteed pay for "on-the-job site" time with a maximum lunch period of one hour.

Mandatory summer school for workers' children.

Law to pay doctors who treat migrant workers. This already is guaranteed by the Suffolk Health Department.

The Rev. Buck Jones, himself a former migrant worker, called for their complete unionization coupled with free legal aid and elimination of unscrupulous crew leaders.

The "Uncle Tom" charge was hurled by Hardwick when the hearing ended and he offered to shake hands with a Negro minister who was critical of the committee's press relations. The minister, The Rev. Booker T. Mattox of Manhattan, refused.

The Rev. Mr. Mattox, representing the Progressive Baptist Convention of America, also criticized migrant aid committees that "think they know all the answers."

Defending the crew leaders, the Rev. Mr. Mattox said migrant workers who want to work can make good wages. He cited his own experience picking crops in the South.

How would he improve the lot of the workers?

". . . Teach them to do well," he said, "teach them prudence, how to buy, how to live, how to take advantage of opportunities and how to save."

[From the New York Times, Monday, Feb. 14, 1966]

L.I. Hopes to Give Sea Legs to Farm Workers

(By Francis X. Clines)

Greenport, L. I., Feb. 13—You can lead a farm laborer to water, but can you make him fish?

Antipoverty officials here think they can, and thereby raise his income, now barely enough for subsistence, to a comfortable $7,500 a year, and as much as $15,000 in good years.

"Imagine that for a man with a third grade education," said Gerald B. Rocker, eastern Suffolk aid supervisor for the Suffolk County Economic Opportunity Commission, who warmly backs a plan to take migrant laborers off local farms and put them aboard salt water trawlers as commercial fishermen.

Mr. Rocker said Federal and county fishing and manpower specialists have unofficially endorsed the plan, under which a trawler would be chartered and run as a year-round school to train fishermen.

Approval of the plan would mean a revival of the once busy waterfront of Greenport, a village of Southold, which formerly was a center of Long Island's oyster industry. The industry has declined during the last 15 years and agriculture now is the chief local occupation.

PROPOSAL TO TEACH LABORERS HOW TO FISH WOULD ALSO HELP BOLSTER ECONOMY

One of the most enthusiastic proponents of the shipboard school is the Rev. Arthur C. Bryant, himself a former commercial fisherman. He pointed out that while Long Island fishermen do not often call at Greenport, trawlers from as far away as North Carolina and Virginia use it as a base during the season.

Mr. Bryant visited fishing schools in New England last month on behalf of the local antipoverty group. Community Action, Southold Town (CAST), of which he is a member. He reported his findings at a meet-in his church, St. Paul's Lutheran, whose pulpit is shaped like the bow of a whale boat.

CAST is the sponsor of the fishing school plan and is seeking the approval of the Southold Town government so Federal antipoverty funds can be made available.

The school would be patterned on the New England schools and would have a staff or specialists who would train the students in such salt water skills as net mending, deck seamanship, navigation and diesel engineering.

CAST's hope is that the school will provide a profitable occupation for impoverished farm laborers, many of whom are unemployed, and will establish Greenport as a deep sea fishing port.

According to Mr. Rocker, there are plenty of empty berths on fishing trawlers. "A shortage of skilled workers is one of the major problems of the industry as it tries to keep up with more efficient competitors, particularly the Russians," he said.

He said he did not expect any trouble in attracting trainees to the school. "Our studies have shown that the annual incomes of 37 men trained at the New England schools range from $7,000 to $7,500," Mr. Rocker said. "And the maximum is near $15,000."

The New England schools were operated in Gloucester, Boston and New Bedford, Mass., under the Federal Manpower Development Act of 1962. The curriculum provided 13 weeks of training at sea and three weeks ashore. Commercial fishermen took trainees aboard their trawlers with the cooperation of the Atlantic Fishermen's Union and the Department of Labor.

[From Newsday, Long Island. N.Y., Sept. 10, 1966]

Farm Co-Op To Evict State Day-Care Center

(By Ray Larsen)

Cutchogue.—The Eastern Suffolk Cooperative plans to evict a state-financed day-care program, which serves about 40 young children of migrant workers, from a cooperative-owned labor camp here to make room for cooking facilities for workers at the camp, it was disclosed yesterday.

The eviction caught project officials by surprise and without new quarters in which to relocate the program. The Rev. Herman P. Stone of the Suffolk County Council of Churches, which supervises the center said, "I don't know what's going to happen with the children. They'll probably . . . be pushed around and be left with nobody to take care of them." In most cases he said, both parents of the children work in the fields.

The Rev. Arthur C. Bryant of Greenport, who works with migrants, said, "I think it's an awfully sad thing that the child-care center should be closed. I don't know who's at fault . . . but I do know that the losers are the children. It is very likely that most of them will wander around unsupervised.

The director of the center, Shirley Hindsman, was notified Thursday that the day-care program no longer could be held in the small, one-story, wooden World War I barracks at the work farm. The program offers the children supervised games, a hot meal, snacks and cots for afternoon naps while their parents are working. The majority of the children it serves are 2-to-5-years old.

The center, Miss Hindsman said, has been operating for the past 10 years at the camp, which houses about 250 men, women and children in about 10 wooden buildings. The Rev. Mr. Stone said that the program and the building rent are paid for by the state. He said the church council donates volunteers, toys and supervises its operation. "It all came so sudden," the Rev. Mr. Stone said. "What we're doing now is trying to find someone who will rent us space so we can continue the program. So far we have been unable to find anything." Neither Miss Hindsman nor the Rev. Mr. Stone could give figures for the state grant or the center's budget.

The announcement of the closing came from William Chudiac, president of the 38-farmer cooperative. Chudiac said last night that one group of about 30 workers from Arkansas had requested the building for cooking space because they had none. Chudiac said the group pays between $175 and $200 in monthly rent for quarters at the camp, compared to the $200 the state pays for the center building for the entire summer. "We hate to lose that (workers') rent," he said. He said the cooperative needs the money to remain solvent.

Chudiac said there still is a possibility that the manager of the camp, Andrew Anderson, can work out some agreement with the laborers' crew chief, Mrs. Fannie Wright, that will allow the center to operate. The cooperative tried unsuccessfully earlier this year to obtain a $66,000 federal grant to replace the buildings with cement-block housing units.

[From Newsday, Long Island, N.Y., Apr. 5, 1967]

TRAILERS FOR MIGRANTS OK'D ON R'HEAD FARMS

RIVERHEAD.—To assist farmers who are finding it difficult to hire migrant workers because of a lack of housing, the Riverhead Town Board yesterday voted to permit farmers to install trailers on their property.

The enabling ordinance was adopted unanimously after a 90-minute public hearing attended by about 40 persons. Critics contended under the ordinance farmers would no longer be obligated to provide permanent housing. The Rev. Arthur Bryant, vice chairman of the Suffolk Human Relations Commission, said, "*The question is how long the farmers intend to stay in business . . . If they do intend to stay, then permanent housing may be more economical.*" The farmers maintain that such housing would be too expensive.

Under the ordinance, which goes into effect April 15, the trailers can be occupied between March 1 and Nov. 30, and occupancy of each trailer would be restricted to one migrant and his family. The farmers had asked that the trailers be permitted for full 12-month use, but the town restricted it to nine months to comply with existing zoning ordinances. However, Supervisor Robert Vojvoda said that the possibility of extending use to a full year is now being investigated.

In other board action, a public hearing was set for 7:30 PM April 19 on a proposal to regulate the use of beach buggies on town beaches. There is no such ordinance in effect now. Vojvoda said that the proposed ordinance, which he did not detail, was drawn up with the cooperation of the Long Island Beach Buggy Association and proposes, among other things, a $2 annual fee for beach use. "Last summer we had a lot of problems with unlicensed vehicles racing up and down the beach and dumping garbage," he said.

The board also authorized its five members and the town attorney to travel to Washington April 17 to attend the U.S. Supreme Court session that will hear an appeal of Suffolk reapportionment. "This will be one of the momentous decisions of our time," said Vojvoda.

It also was announced that the federally financed work of the Long Island Volunteers Inc. is being made a part of the newly formed Seasonal Employes in Agriculture. Both are private, nonprofit agencies. The volunteers group was the first private organization on Long Island to receive a federal antipoverty grant, receiving $203,633 in May, 1966, to enable it to provide migrants with instructions in reading, auto mechanics, construction and consumer education. Mrs. Mary Chase Stone, chairman of the volunteers group, could not be reached for comment, but the Rev. Mr. Bryant said that the agency will now seek additional federal aid to begin a program to investigate the feasibility of settling migrant workers permanently in the community. Daniel Rubenstein, who has directed the volunteer program, will take over the new program.

[From the Suffolk Sun, Hauppague, N.Y., Oct. 16, 1969]

TASK FORCE URGED MIGRANT BAN PROPOSED FOR SUFFOLK

(By Peter Kramer)

HAUPPAGUE.—A report to be presented to the Suffolk Human Relations Commission proposes the elimination of the county's "migrant farm labor system" and guarantees of "human working and living conditions for seasonal farm laborers" caught in the proposed changeover.

The report calls upon the County Board of Supervisors to appoint "a task force committee to write a comprehensive plan for Suffolk County action."

Noting that the 1967 migrant season is ending, the report suggests the task force committee be required to complete all reports and recommendations by next April so that useful plays may be implemented for the 1968 season.

Prepared by the Rev. Arthur C. Bryant, Human Relations Commission vice-chairman and chairman of its migrant committee, the report is directed to County Executive H. Lee Dennison and the County Board.

Pastor Bryant said that if the Human Relations Commission approves the report, it will be turned over to county government leaders for consideration and action.

The report will be presented to the Human Relations Commission at its 8 p.m. meeting today at Felice's Restaurant, Patchogue.

Pastor Bryant of St. Peter Lutheran Church, Greenport, said that his proposal was stimulated by a County Labor Department study last month of a Dennison proposal to replace migrant farm workers here with local residents.

The Labor Department study concluded that there were not enough county residents available to replace migrants and that even if there were, many improvements would have to be made in working conditions before such replacement might be possible.

Pastor Bryant's report condemns Suffolk's migratory system, calling it "both corrupt and brutal" and deserving "a place in our history, but not in our future."

"My inclination, when I started the report, was to get the county involved in the model-housing-for-migrants business," Pastor Bryant said.

"The document in its final form however, is aimed more toward speeding up mechanization to eliminate the use of migrants.

"Looking back over years of dealing with migrants and their problem in Suffolk, I came to the conclusion that there is really no way to control the present system except to reduce it to a size where we can deal with a limited number of individual human beings."

Specifically the Bryant report:

Supports acceleration of "the present phasing out of cheap agricultural labor through the use of mechanization."

In this connection, it disagrees with the Labor Department suggestion that the Board of Supervisors "seek governmental assistance to subsidize the wages of farm workers to bring them up to a living wage for the area." Instead, Pastor Bryant proposes that, if such federal assistance is sought, "it be looked for in the direction of eliminating the migrant labor system . . . through low-cost loans or grants for the mechanization of Suffolk farms."

Criticizes the Labor Department study for its failure to consult with local antipoverty, church and human relations groups interested in farm labor problems.

The Bryant report suggests that, "should it decide to set up a task force committee," The County Board consider representation from such groups as well as farmers, representative migrants, the Farm Bureau, the New York State Employment Service, the Suffolk Health Department, the NAACP and "the New York-based services of the Employment Bureau of the Commonwealth of Puerto Rico."

Agrees with the Labor Department's characterization of the typical migrant worker in Suffolk as "a most irresponsible individual . . . having alcoholic tendencies."

In contrast, however, the Bryant report states "in our experience, we have been struck by the surprising number of high school graduates and veterans in the migrant system. It seems to be a carefully concealed fact that the migrant . . . is a workman, a man who has come to our county expecting to find work rather than a welfare check."

Claims "a resident, year-round agricultural labor force" might be created if such "rights of labor" as "minimum work-week contracts, decent housing, direct and personal relationship with the farmer-employer and elimination of the crew leader" were granted to farm workers.

Calls for establishment of "a universal payroll and deduction system" to replace present methods of keeping time, paying wages and making deductions, which vary from crew leader to crew leader.

Suggests the task force committee should take a long look at farm labor housing, which its says, "has been a major factor in the dehumanization of the farm laborer."

Pointing out that the state's model-housing code specifically excludes migrant housing, the report says, "towns do not have to exclude migrant camps from their housing codes unless they honestly feel that migrants are a different type of human being needing just half as much breathing space."

[From the Suffolk Sun, Hauppague, N.Y., Nov. 2, 1967]

COMMISSION OK'S REPORT

The Suffolk Human Relations Commission has approved a report calling for the elimination of the county's migrant agricultural labor system and asking the County Board of Supervisors to set up a task force migrant study committee.

George Pettengill, commission executive director, said Wednesday the commission document should be submitted for action next week to the Board of Supervisors and County Executive H. Lee Dennison.

Pettengill said the commission held a special session Monday night to consider the report—which was submitted last month by its Vice Chairman, the Rev. Arthur C. Bryant—"and the study was adopted unanimously."

A summary of report highlights has been added to the document, Pettengill said.

Main points of this summary include:

Recommendation for establishment of the task force committee; support for phasing out the use of migrant farm labor in Suffolk "through mechanization and training"; backing of employing local residents "under wages which should provide an adequate family income"; a suggestion that the task force committee should consider "such problems as housing and living conditions, length of work week, take-home pay, elimination of the crew leader system, the creation of a direct relationship with the farmer as employer and the establishment of a universal payroll form for workers with all work time and deductions recorded"; support for "full study" of "all practical mechanization possibilities which could benefit Suffolk farmers," and a contention that the task force committee should complete "all reports and recommendations by April 1968, in order to bring about changes by the 1968 growing season."

[From Newsday, Long Island, N.Y., Dec. 4, 1967]

HUMAN RIGHTS PANEL OFFICIALS TO URGE MIGRANT LAW CHANGES

(By Jim Toedtman)

NEW YORK.—The two top officials of the Suffolk Human Relations Commission were to recommend today that the state strengthen legislation affecting migrant laborers' living and working conditions and outline changes they said would improve the enforcement of antidiscrimination laws already enacted.

The commission chairman, Ralph Watkins, and its vice chairman, the Rev. Arthur Bryant, planned to make their recommendations today at a public hearing being held here by a governor's committee which is trying to amend administrative machinery and state legislation involving civil rights.

The Rev. Mr. Bryant said last night that he would urge the state to include a section for migrant housing in the Model Transient Housing Code that is being drafted. Migrant living quarters are now covered by the state sanitation code, which allows "wall-to-wall migrants," he charged. He said he would call on the state to raise the standards which require only 30 to 40 square feet per man in migrant camps.

The Rev. Mr. Bryant said he would also call for an end to the "peonage (permitted) under commissions in the state law." He said he planned to ask the state to provide contracts to migrants guaranteeing "a job, a minimum wage ($1.35) and a minimum work week. That (the minimum work week) is the important thing." He said that the Puerto Rican government has contracts with firms employing Puerto Rican workers making similar guarantees. "New York State should protect its migrants by providing a contract similar to that negotiated by the Puerto Ricans."

Watkins said he would ask for more efficiency in the State Commission on Human Rights investigations of discrimination in housing sales and rentals. The Suffolk Commission estimates that there are three to four Long Island cases of discrimination submitted weekly to the state commission and that it takes up to six months for each case to be heard. Watkins said he will ask for "greater use of injunctions to prevent the sale or rental of properties currently under investigation." He also plans to recommend a streamlining of the investigation process from two hearings to one conducted by a single commission member.

The governor's 24-member committee to Review New York Laws and Procedures in the Area of Human Rights is holding a series of hearings throughout the state, according to Harry Minkoff of Great Neck, Chairman of the Long Island Advisory Committee to the State Commission for Human Rights. The governor's committee, which was appointed last month.

STATEMENT TO THE GOVERNOR'S COMMITTEE TO REVIEW NEW YORK STATE LAWS AND PROCEDURES DEALING WITH HUMAN RIGHTS: DEC. 4, 1967; BY THE REV. ARTHUR C. BRYANT, VICE-CHAIRMAN AND MIGRANT COMMITTEE CHAIRMAN OF THE SUFFOLK COUNTY HUMAN RELATIONS COMMISSION

On October 16, 1967 the Suffolk County Human Relations Commission unanimously approved forwarding to your Committee for consideration two proposals of its Migrant Committee. These were: (1) that New York State protect seasonal farm laborers processed through the New York State Employment Service by providing a contract similar to that used by the Commonwealth of Puerto Rico which would guarantee a minimum work week, a guaranteed minimum hourly wage (without the escape hatch of "down time"), and paid transportation to and from the place where the laborers were recruited, and (2) that New York State re-include coverage for migrants in the New York State Model Housing Code, chapter III (Transient Housing Facilities).

In another action, On November 16, 1967, the Suffolk County Human Relations Commission unanimously voted to convey to State Housing Commissioner, James W. Gaynor, that "we regard the exclusion of farm laborers (from the N.Y. State Model Housing Code) as highly discriminatory against the Negroes and Puerto Ricans who comprise the bulk of this work force." We asked that the migrants be re-instated under the provisions of the 1964 draft for transient housing. In a letter from Avrum Hyman to our Commission on behalf of the Division of Housing and Community Renewal, also dated Nov. 16, 1967, we received a historical account of the exclusion of migrants from the present code draft which includes an opinion from Martin B. Gatherwood, Industrial Commissioner that the inclusion of migrants is "a delicate issue", that the progress of the State Health department in regulating camps should "not be fragmentized by also covering migrant labor camps under your 'Comprehensive Housing Code' ". Mr. Hyman also quoted Mr. Joseph A. Salvato, Director of the Bureau of General Engineering and Sanitation Services of the State Department of Health where Mr. Salvato suggests: "Certainly there should be no conflict between the provisions of the Model Code and the State Sanitary Code. . . . It is our feeling that we are improving our standards at a reasonable rate and in a reasonable manner."

Now, these statements come from officials of a State which has the following in its Constitution: "No person shall be denied the equal protection of the laws of this state or any subdivision thereof. No person shall, because of his race, creed or religion, be subjected to any discrimination in his civil rights by any other person, or by any firm, corporation, or institution, or by the state or any agency or subdivision of the state." It should first seem patently obvious that there is discrimination practiced in those townships which have adopted chapter 2 of the Model Housing Code where all persons are guaranteed a minimum of 80 square feet of space in a sleeping room except migrants and other transients on the grounds that they are already ocvered by State law. But that State law is the sanitary code which makes wall to wall migrants possible for an industry by providing for 30 or 40 square feet of space per person depending upon the year a camp was licensed. The delicate issue referred to above seems to revolve upon the minority status of the farm workers who are now granted unequal protection under New York State law.

By the same token, the State Industrial Commission has suggested a 1969 minimum hourly wage for migrants of $1.35 as an indication of its good will. Suffolk workers now earn $1.50 an hour but only average 20 work hours during the season per week. The State Industrial Commission has not moved toward the elimination of "down time" (a discriminatory practice which makes the man less than the machine) nor has it removed the deception involved in hiring a man for a work week which does not materialize. Consequently, the Negro and Puerto Rican farm laborers are subjected to peonage under ommissions in New York State law.

DECEMBER 11, 1967.

Letter to: The Joint Legislative Committee on Migrant Labor, Assemblyman Steven Grecco, Chairman; State Senator William C. Thompson, Vice Chairman.

From: Rev. Arthur C. Bryant, Vice Chairman and Migrant Chairman of the Suffolk County Human Relations Commission, Chairman of the Southold Town Economic Opportunities Committee and of the VISTA subcommittee.

Gentlemen: The peonage system inflicted upon the seasonal farm laborers of New York State is probably a symptom of a sickness afflicting the entire agricultural economy of New York State. You already have before you a copy of the report of the Suffolk County Human Relations Commission which calls upon Suffolk to establish a task force committee to study the economy of New York's leading agricultural county in order to provide a comprehensive plan toward the phasing out of the present brutal and corrupt system. I ask you to read it and to study the appended newspaper and radio commentaries with especial emphasis upon the excellent series of articles in the Suffolk Sun written by Peter Kramer. Whether the Suffolk Board of Supervisors will take action toward the basic and intelligent first step of study is an open question. Mere mention of migrancy seems to be fraught with political implications as has been evidenced so far by responsive press statements by Executive deputy industrial Commissioner Herbert Crispell; Industrial Commissioner Martin B. Gatherwood; the director of the Bureau of General Engineering and Sanitation Services of the State Department of Health, Mr. Joseph A. Salvato; Deputy Commissioner Avrum Hyman of the Division of Housing and Community Renewal; and State Housing Commissioner James W. Gaynor. All speak of the "delicate issue" as something to be approached with caution. But we believe that New York State is not only confronted with a moral issue of the magnitude of last century's slavery test, but is also faced with an impending economic crisis in its agricultural economy unless comprehensive planning and programming is embarked upon to bring its farm community into the twentieth century. It should seem obvious when voices are raised in agriculture to say that labor practices outlawed in every other industry are necessary for survival that there is sickness or inefficiency as the underlying factor. In every other business mismanagement brings a penalty upon the management, but in agriculture the penalty is legally passed along to the employee and eventually to the citizens of the State in the areas of health and welfare. Therefore we propose to the State what we have proposed to Suffolk County, that a task force committee be set up as outlined to write a comprehensive plan toward the step by step phasing out of the existing migrant system and the immediate implementation of procedure toward guaranteeing the seasonal farm laborer with the rights and dignity of labor.

A first step should be taken by outlawing the tactic called "down time". It is an evasionary practice used to break the back of the minimum hourly wage law. The Suffolk County Labor Department describes it as follows: "When a machine breaks down or when the potato suppliers which bring the potatoes to the packing houses are late in arriving, a system known as 'down time' is imposed. In many cases an individual arrives on the job at 6 or 7 am, remains on the job until 10 or 11 pm, and is only paid for 3 or 4 hours. It appears that the employers will not do away with the down time system." In conversations with people involved in the grape-pickers strike in California, despite the many other injustices evident there, down time was unknown. It appears that this is a local bit of deviltry. It makes the man less than the machine.

A second step should be a guaranteed minimum work week for all farm laborers brought into the state of New York. The contract provided by the Commonwealth of Puerto Rico beautifully describes reasonable working conditions for farm laborers and could very well be made into New York State law in its entirety. Not the least of its provisions is ARTICLE III—GUARANTEE: "The employer guarantees to provide the Worker 160 hours of agricultural or related work in each four week period during this agreement or pay the worker not less that 160 times the hourly or prevailing rate set forth in ARTICLE IV, whichever is greater. The guarantee shall commence 24 hours after the worker has arrived at. . . . " Interestingly enough, although a number of Puerto Rican laborers are employed quite satisfactorily under these conditions in New York State, continental Negro laborers and Puerto Rican laborers who enter the state without a contract are almost entirely without the protection of the law. In one camp in Suffolk, 25 laborers of Puerto Rican extraction were hired from New York City for the strawberry harvest. Because of the cool weather and the rain, the harvest did not materialize on time. Before the week was out the men were clubbing rabbits in the woods in order to obtain food. They did not want to go into debt at the commissary where the interest rate to the crew leader was 2 to 1 or 100%. They had no work because someone else planned wrongly and so they knew hunger because a farmer and a crew leader made a legal mistake. But the farmer did not stop eating and neither did the crew leader.

Provision should be made to provide universal coverage for these farm workers under workman's compensation. The present law allows an option for workman's compensation or private insurance. Private insurance provides no protection for the laborer since he must sue in order to obtain a claim. We have never met a seasonal farm laborer who could afford to sue. We have met a number who became wards of the state following a serious injury because they had no recourse except to welfare. Only the farmer is protected by private insurance.

A payroll form with a list of allowable deductions should be submitted to the state by every employer. Part of the reason for continued pay abuses is the failure of the state to keep tab on the conditions of employment. A fast-talking crew leader can get most of any payroll when he cashes the checks.

Now we would note in parenthesis that a local poverty official and the Suffolk County Labor Department have both proposed relieving the plight of the farm laborer by having the Federal government subsidize his wages. The human Relations Commission has taken a stand against such a procedure because under the present crew leader system such funds would never reach the worker. One crew leader of record made $44,000 last year while his men averaged only twenty work hours a week over the season. The only way to change the situation is to provide such protection for the laborer that the employer will make a good sound business decision when he hires. And in passing, it might be noted that if the crew leader were hired at a decent management wage, the farmer and the crew might find conditions greatly improved because honest men could then be attracted to the field.

In the area of employment, we wonder what Herbert Crispell is talking about when he recommends a minimum hourly wage of $1.40 in February 1969 or an optional minimum weekly wage. He is proposing what no self-respecting union would accept (probably with an awareness that the seasonal farm laborers have no voting power in New York State) because "down time" and the lack of a minimum work week. Laborers now at a number of camps in Suffolk County are used two or three hours a day at the farmer's discretion as though they were high school boys with no overhead or responsibilities. What would such a minimum hourly wage mean here?

As far as housing is concerned, the joint legislative committee is probably aware of our Commission's complaint to Commissioner Gaynor that the failure to include migrants under the provision of the State's new Transient Model Housing Code is highly discriminatory against the Negroes and Puerto Ricans who comprise the bulk of the seasonal farm labor work force. But the housing code is good only in that it sets up an ideal for decent housing. The most troublesome thing we have to work with is the State sanitary code which provides as little as twenty square feet of floor space for a man sleeping in a migrant camp on an iron double deck bed that he pays $5.00 a week for. The wall to wall migrant provisions of the existing Sanitary Code are obnoxious to say the least. Legislation might well be introduced to revise the State sanitary code to make it conform to the housing provisions deleted from the 1964 draft of the Transient Model Housing Code. It should be recognized that present crowding of men into non-partitioned "bull pens" is a dehumanizing factor which tends to destroy men. In addition to the lack of privacy and space, the present code encourages the lawless conditions which prevail in many camps. The decent individual is subjected to bullying and attack to which he has no defense or escape. The knifings and 10¢ pistol (lye) attacks common in our migrant camps are a bi-product of our sanitary code. The State, by the way, absorbs the cost of these—not the farmer or the crew leader. And it should be remembered that a revision of the existing code should not have the escape hatch now written into the code—that camps issued permits issued before 1959 continue under the previous code provisions. What is right is right—what was wrong continues to be wrong. Besides this, the easy loan provisions of the Farmers' Home Administration make it inexcusable to any farmer, group of farmers, or County not to correct the housing conditions.

It hardly seems necessary to mention that one toilet for twenty men is not enough. When workers cut holes in the floors of their bull pen, it may be socially unacceptable, but it is understandable.

And then there's the perennial alcohol and cigarette problem. Cigarettes are sold at 50¢ a pack in most camps, at 65¢ a pack in at least one camp. Can't there be some control? And wine! Every camp has its wine merchant. Twister and Ariba sell at $1.00 a pint bottle. You can buy them at 50¢ a bottle in the liquor store. Now this use of wine is understandable. The Poles and the Russians use Vodka to warm up on a damp morning and the Hungarians use Slivovitz. But this cheap wine is addictive and is illegally pushed because of its addictive powers. No one seems to dare to clamp down on this exploitation of human weakness. When we drive a worker to the alcoholic ward of Central Islip Hospital however we know the State will pay for it.

It seems silly that the 100% funding of Summer School for migrant children is an optional thing for School Boards to decide upon. When one considers the anti-migrant reaction in many communities, we wonder that any Summer schools are provided. They should be mandatory.

Child Care programs are set up to operate from July 1st through Labor Day in our area when the season extends from July 15 through December 15. We wish that an investigation would be made into the operations of the Producers and Growers association to see what they are trying to accomplish if anything.

Health programs operate during the same months as the Child Care program. When the colds and the flu reach the camps, the Health services disappear. Why?

Actually, to sum up, we're wondering why this twentieth century system of bondage continues at all in a State that uses the motto: *excelsior?*

[From Newsday, Long Island, N.Y., Jan. 15, 1968]

THREE LABORERS KILLED IN EAST END BLAZE

(By Joe Demma and George DeWan)

BRIDGEHAMPTON.—Three farm workers were killed and three others injured in a blaze early yesterday that gutted a rundown, single-story house recently cited by Suffolk County Health Department officials for heating and sanitary violations.

The building was occupied by about 14 persons who have been working on surrounding farms and in potato warehouses. Police said that the fire was apparently caused by an oil-fired space heater in one of the rooms. The dead were identified as Myrtle Lee Grant, 45, James Farrell, 40, and his wife, Gussie Mae Farrell, 35. Police said that they were among 14 persons living in the eight-room building. The three injured were Willie Ware, 72, William Frazier, 47, and Isiah Chisholm, 38. Ware was in fair condition in Southampton Hospital early today with fractured ribs, and Frazier was in fair condition with burns. Chisholm was treated for minor injuries and released.

The owner of the building, Henry Jacobs, whose address was given as Main Road, Jamesport, is free in $600 bail awaiting trial in Southampton Justice Court on county health code violations on the building. Sidney Beckwith, head of the health department's housing and sanitation division, said that the charges include improper heating and improper sanitary facilities. "We've been concerned about this place for some time," Beckwith said.

Jacobs said yesterday that "there were some violations but they were taken care of. The last I heard, everything was all right about a week or 10 days ago." Jacobs said there were "only supposed to be five or six of them in there, but the others always sneak in. When you tell them to get out, they say they are just visiting." He said that the building is visited regularly by Warren Sayre, a Bridgehampton potato farmer, who also collects rents.

Sayre said yesterday, "I don't know anything about those violations. I'm supposed to collect the rent when there is any." He said that the tenants are supposed to pay $5 a week when they work, "but they don't work half the time." Of the fire, Sayre said, "It's an unfortunate incident, but it's their own fault. They're just a bunch of winos and you know what happens when they get wound up."

Alan Gartner, resigning director of the Economic Opportunity Council of Suffolk, expressed shock yesterday at Sayre's statement. "Mr. Sayre illustrates the kind of inhumanity brought about by the type of farm labor system we tolerate. Maybe another tragedy will move the State Housing Authority and other public officials to provide an enforcible housing code for laborers."

The Rev. Arthur Bryant of Greenport, vice chairman of the migrant labor committee of the Suffolk Human Relations Commission, called for a full investigation of the incident by the committee. The commission has long expressed its concern over the rundown conditions of migrant housing in the East End, the scene of several slum fires in the past. The worst such fire took the lives of five children in an East Hampton shack in January, 1963.

The alarm yesterday was called into the Bridgehampton Fire Department by unidentified persons at about 4:05 AM, but Bridgehampton Fire Chief Richard Talmadge said that the building was engulfed in flames when his men arrived minutes later and that attempts to rescue occupants were impossible. The dead apparently had been asphyxiated.

The gutted structure was a frame building partially covered with corrugated iron. Seven of the eight rooms were used as bedrooms. The eighth room, a kitchen, contained a juke box and a bathroom. Each room was heated separately with electric, oil or kerosene space heaters. The building stands at the end of Fister Avenue near the Long Island Rail Road tracks. Those made homeless by the fire moved yesterday into nearby concrete block dormitories owned by other potato dealers.

An autopsy was to be conducted today on the three victims, and Seventh Squad detectives said that they had called in the Arson Squad to make a routine investigation of the fire. In November, 1956, Miss Grant was shot and seriously injured by a farm laborer during an argument over another laborer. In July of that year, another laborer was stabbed and critically injured by another man over an argument involving Miss Grant.

[From Newsday, Long Island, N.Y., Nov. 21, 1968]

HARVEY ARONSON—"A 20TH CENTURY FORM OF SLAVERY"

About 24,000 of them come to New York State each year, and 3,000 come to Long Island, and they work in potato fields and processing plants and nurseries. They are migrant workers and they live in shame and misery, and all the farm lobby rationalizations in the world don't change the simple, overriding fact that they are exploited people.

They are for example, excluded from the national and state labor relations acts, which give other workers a chance to organize and bargain collectively. They are, in the forward-thinking state of New York, excluded from unemployment insurance and they have been provided with inadequate workmen's compensation. They live like social lepers in bleak housing. And they face what the Rev. Arthur C. Bryant described yesterday as "the real southern bigotry we have on the East End of Long Island—even the black community attaches a stigma to farm workers. It's like being in hell."

The Rev. Mr. Bryant is migrant chairman of the Suffolk County Human Relations Commission, and he talked to a group of students at Hofstra University yesterday about one of the hells we have created on earth. He talked of men dying of pneumonia in unheated barracks, and of crimes going officially unnoticed in labor camps, and of crew leaders making money on blanket rentals and the sale of wine.

And like most sincere people who get involved in fighting the abomination of migrant labor, he seemed up to here with tokenism and noble words and all the good works that don't change the system a damn bit. He said, for instance, "that it's a lot of nonsense about having to retrain men—a guy working as a migrant laborer already has a skill, except maybe he is getting $1.25 an hour. And if he learns how to drive a tractor, that's still all he's going to get."

He said the migrant worker needs the right to representation by a recognized union, and that this isn't something that can be accomplished by government-supported groups working in the field. "If they get involved in union activities, their funds are cut off," he said. "You're supposed to play around with these people, but don't change the system."

He talked that way, and you could feel his frustration and you could surely sympathize with it because you had seen the dust-ridden faces in the labor camps and felt the despair and sensed the loneliness. And you got annoyed when a black kid in the audience started going on about the "white devil who is perpetrating these atrocities" because there are black crew chiefs taking part in the exploitation and middle-class black residents who are ignoring the whole problem. But the black kid had a point.

The black kid, a 21-year-old Huntington junior named Jim McKay, was spouting the new dialectic. But it's the system that's foul, and what difference does it make whether the devils are white, black, or blue-green with crimson polka dots. But he did get down to one nitty-gritty suggestion. "We've got to get these white people who go to meetings and rap about it to stop buying potatoes on Long Island," he said.

The Rev. Mr. Bryant had a few ideas. He said a task force composed of county, farm and migrant representatives had studied the problem this past February through May, and he would like to see its report issued. He also said that we ought to flood the governor and state and national representatives with letters calling for meaningful legislation. "Right now," he said, "the most important thing is to get migrants covered by the state and national labor relations acts."

He summed up the status-quo simply. He called it "a 20th Century form of slavery."

[From the Congressional Record, Feb. 6, 1968]

RETURN TO HARVEST OF SHAME

Mr. WILLIAMS of New Jersey. Mr. President, the Subcommittee on Migratory Labor, continues its work of bringing the realities of the migrant labor situation to the attention of Congress. Each Congress, legislation reported by the subcommittee has been enacted wtih the hope that the tragic situation could be alleviated.

Last night, the National Educational Television Network pictorially and movingly confirmed the economic plight of the migrant farmworker, and demonstrated in pragmatic fashion the enormity of the job remaining to be done. The National Educational Television Journal documentary, "No Harvest for the Reaper?" was an excellent production similar in quality, but little different in subject matter or message, to Edward R. Murrow's "Harvest of Shame" which was first shown 8 years ago. The program has received high praise in the reviews, as evidenced by the New York Times article of February 6, 1968, which I ask unanimous consent to be printed in the RECORD after my remarks.

Although the documentary presented scenes depicting only Arkansas Negroes transported to New York State farms, the same pattern of life is repeated each year throughout the country, and includes over 1 million citizens that are paid miserably low wage rates, and left to the mercy of unscrupulous crew chiefs. Health care is inadequate or totally lacking, and housing is unsanitary and unsafe. Unrestricted child labor is prevalent, and migrant children have little or no opportunities for education. Compounding these shocking conditions is the fact that migrants are excluded from enjoying social and economic benefits available to all other American citizens, such as unemployment, social security, and workmen's compensation insurance; and, farmworkers are excluded from the protections of the National Labor Relations Act. The television program graphically showed living conditions akin to those present in the slave days of involuntary servitude.

The National Educational Television documentary confirmed in all major respects the urgent need for this Nation to meet the goals for which the subcommittee has been working. For example, the film clearly depicted the impact of the low wages received by the migrants for their long hours of work, and confirmed our contentions that coverage of minimum wage legislation should not only be extended to include more workers, but that the minimum rate must be increased.

The need to extend and expand the migrant health program as provided in S. 2688, which I introduced, was also emphasized by the documentary. This legislation, enacted 6 years ago, extended in 1965, but due to expire June 30, 1968, has been a very successful health program for the 23 percent of the migrant families actually reached. The continuing need is indicated by a comparison of the Nation's per capita expenditures for health care: For all citizens—over $200 annually; for Indians—over $320; yet for migrants—only $8, except for the areas where the program is in effect, then annual per capita expenditure is only $36. The subcommittee has completed hearings on S. 2688, and has reported the bill to the full Committee on Labor and Public Welfare. It is urgent not only that Congress enact this legislation soon in order to keep the program alive, but it is self-evident that an increase in the authorized appropriation of last year is necessary.

The partnership of the farmer with the unscrupulous crew leader was also emphasized and the documentary showed the mechanics and effects of the crew leader's exploitation of workers. Although the need to protect the migrant was partially met in 1965 when Congress passed the Farm Labor Contractor's Registration Act, the problem still deserves continued and special attention, for most crew leaders are still not registered and enforcement of the act is limited by insufficient Labor Department personnel authorizations. Furthermore, as often discussed in the subcommittee's annual reports, the problem will continue to exist until such time as we enact programs to deal with the broader problems of underemployment and unemployment and recruitment of sufficient workers to meet the seasonal labor demands of the industry.

Finally, the film graphically portrayed the urgent need to provide the agriculture industry with the advantages and protections of the NLRA. We must guarantee farmworkers the freedom to organize, and to choose a union to represent them in presenting grievances and in collective bargaining. The NLRA should be made available to provide needed stability in the industry, and to protect the employee, the employer, and unions against unfair practices by providing them with the procedures and processes of the NLRB. Extension of NLRA coverage to the agriculture industry is incorporated in S. 8, which I introduced at this session.

For Senators who did not see the program I urge them to view a repeat telecast on Sunday, February 11, 1968, at 5 p.m.

Furthermore, on February 12, 1968, the National Education Television Network will present yet another migrant worker documentary on the struggle of migrants to gain union recognition entitled "Huelga." I strongly commend this program to them. I ask unanimous consent that the documentary be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD as follows:

[From the New York Times, Feb. 6, 1968]

TV: EXPLOITATION, 1968—RECRUITMENT OF MIGRATORY WORKERS FOR LONG ISLAND HARVESTS RESULTS IN NEW SLAVERY

(By Jack Gould)

Eight years ago the late Edward R. Murrow cast the spotlight of television on the nation's "Harvest of Shame," the plight of the exploited migratory worker who picks the food that is taken for granted in supermarkets and swank restaurants. Last night Morton Silverstein of National Educational Television did a superb sequel. Nothing has changed.

Under the title of "What Harvest for the Reaper?", Mr. Silverstein studied the cynical recruitment of Negro workers in the small towns of Arkansas and their transportation to a decrepit labor camp in Cutchogue, L.I. In Suffolk County they learn of slavery in the North, their continuing indebtedness to a sophisticated Negro crew chief, who leases the camp from the former membership of the Eastern Suffolk Cooperative.

"What Harvest for the Reaper?", which was seen locally over Channel 13, was the recurringly depressing chronicle of the many elements of society that turn their heads when exploitation of a human being is profitable.

The farmers complained of depressed prices for their produce, the unreliability of imported labor and smugly shifted responsibility for the camp's operation to the crew chief. The crew chief, in turn, argued that he hadn't cheated anyone: out of the worker's weekly wage averaging $47 for 40 hours of toil—he deducted food, lodging, transportation and other expenses, which devoured the weekly pay check or more.

The economic arguments notwithstanding, the N.E.T. Journal, narrated by Philip Sterling, spoke for itself. The camp, described as not the worst of barracks for migrant laborers in New York State, resembled a primitive prison. A single bathroom was used by 38 men, and the living quarters lacked even rudimentary privacy or relaxation. And the testimony of the migrants was that over the years the scene shifted monotonously from Long Island to Florida and back again.

In some respects the most interesting aspect of "What Harvest for the Reaper?" was that such exploitation knows no color bars. The emphasis on the crew chief showed that he had qualms in making an estimated total of $40,000 a year for imposing economic bondage on the young Arkansas Negroes. And Mr. Silverstein documented the fact that a contract between potato processors and Local 202 of the Teamsters Union was nonexistent for practical purposes. A bottle of cheap wine to blot out the tedium sold for $1 in camp as compared with 51 cents in town, according to Mr. Silverstein.

A spokesman for the Suffolk County Department of Health spoke of the Cutchogue camp as meeting minimum standards and then in the next breath conceded there has been inadequate maintenance, inadequate cleanliness and inadequate supervision. Some of the farmers blamed the migrants for camp conditions and overlooked the built-in frustration of the chilling environment.

Next week on N.E.T. Journal there will be a documentary on the struggle of California migrants to gain union recognition. Last night's hour, for which A. H. Perlmutter was the executive producer, left no doubt that correction of the migratory worker's social and economic disenfranchisement still has a long way to go.

Mr. Murrow would be the first to be pleased that a new generation of sensitive TV craftsmen has renewed his battle in unsparing word and haunting photography. The wanderers who feed us all remain among the forgotten.

"Why Do I Go Around in Circles?"

(By Rev. Arthur C. Bryant)

Our unwillingness to actually bring good news to the poor combined with our haughty attitude toward minority people combine to make the lives of migrants pure hell. The plight of the migrant reminds me of the story of the little boy who looked up at his mother and said: "Mommy, mommy . . . why am I always going around in circles?" and she looked down at him and said: "Shut up! or I'll nail down your other foot". The State of New York, our State, counts 17,000 migrant laborers, 99% of whom are minority group people. Seventeen thousand migrants statistically makes New York the sixth largest user of migrants in the United States. All of them are running around in circles of discrimination and poverty.

Suffolk County ranks among the 100 richest farm counties in the United States. Last year the average work week of a Suffolk County farm laborer was twenty hours. This is not something to be envied. For these laborers were recruited to jobs where they hoped to work sixty or seventy hours a week at the prevailing minimum wage. The working conditions under which they picked your strawberries, cauliflower, snap beans are hard to believe. But the working conditions under which they dug and graded and packed your potatoes are almost impossible to believe.

Just consider some of the legal protections afforded migrant workers in New York State. For instance, migrants would be brought to existing State minimum wage standards beginning July 1, 1968 according to a bill submitted by Assemblyman Steven Grecco and Senator William C. Thompson. Guess where migrants stand now and where they will continue to stand if the bill is not passed? And then add to this proposal for a minimum hourly wage two basic facts of life that are not even considered. One is that the migrant is up against a condition called "down time" which releases his employer from an obligation to pay him if a grading machine or a combine breaks down or is shut down in the course of a day. Under the system known as down time, the man is so subservient to the machine that he may spend as much as twelve hours a day on the job, but be paid only for five or six hours. And in addition to the hazard of "down time" the worker is frequently subjected to no time at all due to weather conditions or a slack season. There is no provision for a minimum work week for the greater majority of the workers. Only workers recruited through the employment services of the Commonwealth of Puerto Rico have a guaranteed work schedule of 160 hours in a four week work period. But even Puerto Rican help is often secured without benefit of a contract. And so we have a situation like that which prevailed at the Cutchogue labor camp last May when the Crew leader recruited 25 laborers of Puerto Rican extraction from New York City. They arrived in the rain and the cold and found themselves completely without work for a week. Then, knowing that they would become hopelessly indebted if they ate at the camp commissary, they went into the woods to club rabbits and walked to the beaches to dig clams and then just walked away and disappeared.

The walk away escape of the twenty five was unusual. The regular thing for a crew leader to do when a man walks out on him is to call a farmer who calls the police to return the man now charged with theft. Most men would rather not face the police and so they do not often run away. It's sort of a bloodless disciplinary system which replaces the crew leader beatings which used to be the thing in migrant camps.

So while the State of New York is earnestly endeavoring to get the farm laborer a minimum hourly wage, the workman is also up against a hydra like system designed to relieve him of what little money he is able to earn. Think of rent. I can take you to a typical shack owned by a leading produce company in Riverhead. Rent there is four dollars per man per week over against the five dollars per week charged in some worse looking camps. But in this particular wood frame unit measuring 63 feet by 29 feet there are twenty four men legally housed according to the new revised New York State Sanitary Code. Rent collected on this unit is $384.00 per month. The room is heated by a pot bellied wood stove. It is lighted by three 50 watt overhead light bulbs. The men sleep in double deck beds equipped with mattresses and nothing more. They have no sheets, pillows or blankets. Blankets are available at a five dollar rental fee although the same blankets at the army-navy store for $3.95 apiece. There are two flush toilets which is unusually good for camps in the state of New York. However, there is quite a line up in the morning which adds to the frustrations of camp life. But this ratio of 12 to 1 is good. The State Sanitary code calls for a ratio of 15 men to one john. And there are no chairs in the room, which makes it typical. No privacy, no escape from the cough of the T.B. victim, no escape from the broken glass and stench surrounding the alcholic, no place to read a book—you have a picture of one of the many legal places which dot our countryside and are called "bull pens" by the men who live in them. The walk to town from this bull pen is two miles and this is also par for the course in the migrant stream.

But the earning power of the migrant is attacked in many other ways too. Food is eaten at the camp dining hall or sent out to places of work for lunch. There is no chance to escape the food bill. According to the New York State law the maximum that a crew leader can charge his men for a soul food diet of chicken, pigs ear sandwiches, spare ribs, collards and the like is $1.55 per day. But many crew leaders get around this by not serving beverages with the meals. Therefore the bill goes high for sodas and extras. So most men report a weekly deduction from their pay of $16 legally for food and rent and then a further deduction of approximately $15 for extras like soda and cigarets made when the crew leader cashes the check. And then ponder this one. Cigarets sold for 50¢ per pack in most Suffolk camps in 1967, but in at least one camp the going price was 65¢. When men are trapped, they have to take what's handed to them.

The entrapment is further complicated by an agricultural habit of long standing. Hungarian peasants use slivowitz to warm up on cold, damp mornings. Poles and Russians use Vodka. Both of these beverages are highly distilled and carry little hangover producing sugar. But the drink used by Southern American migrants is cheap wine, usually Twister or Ariba. It produces the same warming sensation, but also is highly addictive. The men carry it in pint bottles which are reminiscent of the pocket flasks used in Europe. And it is in the use of cheap wine that many men are hopelessly caught in the migrant stream. For crew leaders not only feel that it is useful to keep the men manageable, but also valuable as a profitable commodity. Twister sells for 51¢ in most liquor stores, but is pushed at $1.00 a bottle at the camp site. It's a good item to extend credit on; a good item to befuddle the mind of the worker when his paycheck is cashed and deductions are made.

And then there is the dice game at the camp. Like most poor people who find gambling a religious act to test the love of God, the migrants usually look forward to the weekend crap game. At this the crew leader usually puts up the ante for two for one money. If he puts up fifty dollars at the beginning of the game, he picks up one hundred dollars when the game is over. And so it is with gambling debts. Money borrowed for the game must be returned at the rate of two for one.

Camp life is lawless life. Rusty guns and shiny knives appear frequently. Police seldom patrol and a number of camps do not even have pay telephones so that a man may call the cops if he feels that he is being bullied. Homosexuals and prostitutes gravitate to the camps. A young man drawn to migrancy because he cannot make a living in his home town, finds himself drawn into a spider web as well as to a job. He is often so crippled environmentally that he is unable to pull himself out of it.

Because the camps affect the surrounding communities in a negative way, there is usually little sympathy from the people best able to help. Churches generally shy away from the migrants and when a few brave citizens decide to get involved they are too often afflicted with a kind of tunnel vision. Most benevolent work for migrants consists of gifts of blankets, used clothing, toys for tots and the like. But this is band aid work at best and seems to skirt the real issues involved.

One of the really frustrating experiences in migrant work is the apparent lack of sympathy shown by the neighboring Negro churches. And this is despite the fact that the membership of such churches is partly composed of ex-migrant families who dropped out of the stream. But this is understandable in the light of the story of the Negro boy and the white Catholic boy who met a priest on the street. Both boys said: "Hello, Father" and this made the priest curious. So he asked the Negro boy if he was Catholic too. The boy said: "Hell no, Father; it's bad enough being colored". And it's like that for former migrants. It's bad enough being negro without having the stigma of "migrant" attached to oneself.

A particularly crude camp in Riverhead, L.I., is owned by the president of the local N.A.A.C.P. It's a strange thing that a civil rights activist should be able to participate in this twentieth century form of Negro slavery. But the thought processes of a human mind are divided into many compartments and I am sure that this man does not relate the middle class drive for open housing with the lower class hunger for bread on the table. Yet, somehow the message has got to be heard that the symbol of Negro servitude is a very much alive migrant camp and this symbol remains destructive to all who long for true freedom.

When a man's eyes are open to the grindstone of migrancy which crushes thousands of human beings, he begins to attend meetings of County, State and Federal officials who have the power to change things. But the first thing he sees is that there remains a consistent reluctance to change things in any meaningful way. One senses that it is political in that migrants do not stay anywhere long enough to form a voting block and are therefore lobbyless. But then another factor enters the picture. One legislator after the other states that his heart is in the right place, but he doesn't want to punish the good farmers with the bad farmers. The governmental structures are geared to concern for the middle class and somehow the economic plight of a middle class gentleman farmer is more urgent than the pneumonia death of a migrant. And beyond that, there is another phenomenon. The governmental units with migrant concerns are self protective structures. The Health Department does not want to step on the territory of the Labor Department and the Department of Agriculture does not want to appear as though it has not been doing a good job. Like Pontius Pilate, the government official typically does a bit of hand washing while he lets mob rule prevail. But then he states that his own sophisticated callousness is really a wise attempt to prevent mob rule.

The most glaring example of governmental discrimination against an oppressed people is the failure of the State and Federal governments to include migrants in the Labor Relations Acts. The ruling bodies have also omitted migrants from unemployment insurance and made social security an improbable thing at best, but these things pale by comparison with the blatant bigotry which prevents these minority group people from speaking for themselves. Since 1935, the migrants have not had the power to bargain collectively which means that they have not been able to speak for themselves. They haven't been able to fight for decent pay, decent toilets, rest periods, health benefits, retirement benefits. And the excuse has been given that a strike at harvest time would be disastrous for the middle class farmer. No one seems to take into account that there is no harvest for the reaper, that both the government and the farmer have led a strike against him.

The California grape pickers strike points the way for the nation if people will stop to observe it. Somehow we've all been so concerned about the Viet Nam War, Civil Rights, and Anti-poverty programs that we've missed much of the magnificent accomplishment of Caesar Chavez who has led a movement without benefit of the Labor Relations Act. Mrs. Dolores Huerta, Vice Chairman of the United Farm Workers tells about the unionization of Christian Brothers, and how unionization meant the end of a migrant camp. She describes a poverty people surrounding a grape harvest who had to travel to Texas from California in order to make a living and a poverty people surrounding large growers in Texas who had to travel to California to make a living. Nobody wanted to migrate, but it seemed necessary to get a job. But when the strike was settled, the California workers were able to work in California and the Christian Brothers camp was no longer needed. Suitable work week contracts, minimum salary, rest periods, health benefits and the like are able to convert a migrant population into a stable work force. A traveling man finds himself able to go to work in the morning and return to his own house in the evening to his wife and children. He begins to fulfill the American dream and he has something to work for. And the community benefits with a corresponding decrease in crime, delinquency, health and welfare costs. It all seems so simple. But the lobbyists are still making themselves heard and the Labor Relations acts have not yet been opened to include farm laborers.

Meanwhile, down on the farm, the farmer passes along all the ailments of a sick economy to his field hands. The truth of the matter is that the farmer is in a very serious plight and does need federal help. But he does not need a James Bond license to kill in order to survive. He needs guidance in better methods of production and harvesting. He does not need to overrecruit in order to get a fast harvest while field hands who have traveled a thousand miles to get a job find that there is not enough money available to keep a man alive.

Suffolk County farmers have their own peculiar set of problems, but we suspect that these problems form a pattern with wider implications. Perhaps the first of these is the urban sprawl of housing developments. As the Island fills with people the acreage price of land increases and every farmer knows that the time is not too far off when the most valuable crop he can grow will be houses. Therefore the farmer is not eager to spend money for farm labor housing which will be useless to him in ten or fifteen years. Therefore the labor housing delapidates. Therefore the plight of the farm worker gets more desperate as the Island becomes more prosperous.

An interesting aspect of this occurred in Riverhead Township where the Town Board broke their own zoning regulations to allow farmers to house their workers in mobile trailers. Civil Rights people argued reasonably that the vastly superior trailer housing was a bigotted ploy. If the land will be going up for sale in the near future then it is suspected that the farmers do not want permanent Negro settlements on that land.

Another aspect of this was the death of six farm laborers in Suffolk in January due to inferior housing standards. Three people burned to death in a Bridgehampton camp when a space heater exploded in overcrowded quarters. Then, because overburdened space heaters were a threat in the January cold snap, the crew leader in a Cutchogue camp kept his heat down and five of his men became sick. Since he did not want to lose his sixty cents a head per day pocket money on his laborers, the crew leader decided to force them to work by cutting off their daytime heat. Three of those men died of pneumonia in the next two week period. The Suffolk County Health Department was unable to do anything about the deaths of the six.

A second Suffolk County farm problem is the unwillingness of the farmers to convert to crops other than potatoes. The 1967 potato crop spelled financial ruin to a large number of farmers, but potatoes are being planted in large numbers for 1968. Somehow, growing potatoes on first grade land was a good practice prior to world war II when transportation was a problem and a good crop was one which could be put into storage for the right time of sale. And potatoes were just the right crop during world war II when the black market price went up to $8.00 a bushel. But potatoes have not been the right crop since then and the farmers have had to compete with potatoes grown on second grade land in Maine and New Jersey. But, as one farmer said, potatoes are a lazy man's crop and it's hard for a man to give up his vacations. The land is just right for raspberries according to the Suffolk Farm news. For they are an exotic crop which can be handled mechanically entirely and Suffolk is an ideal site for easy transportation to the major markets of New York and New England. But no raspberries are being planted. Neither are many farmers converting to truck farming, to readily marketable fresh vegetables which must be speedily trucked. Instead, good land is being used for an inferior purpose while a labor force is legally exploited. We spend much federal money fighting the golden nematode disease which afflicts potatoes when the disease may be the potato itself.

So we wonder whether we havn't the brains and the power to correct the senseless migrant farm labor system. Or is the migrant system only the whiplash of a much larger system in this nation which makes the economy and the machines more important than the human beings within it? If this is true, then we have to be concerned about the migrant, because he is us. He is what we are becoming.

December 18, 1968.

Mr. John E. Long,
Consultant, Manpower and Training, New York Office of Economic Opportunity,
New York, N.Y.

Dear Buddy: I'm sorry I do not have all of my material available on the 1966 attempt to rebuild the Cutchogue Labor Camp. My material on migrancy is rather extensive and I recently put it in the hands of a VISTA worker to file and sort for me. He is now away for the Christmas holidays. However, I found several pieces which I am enclosing. Item number two spells out the reason why the re-building project ground to a halt after some months of intensive effort. Since it is a personal letter and only hearsay, I'd appreciate it if you would use for general guidance only and dispose of it.

The Newsday articles and the letter to Bob Griscom are items I'd like returned to my files when you are through with them.

As I remember it, the movement to re-build the camp began in December 1965 when the Co-op was informed by William Rainville of the Riverhead office of the Farmers' Home Administration that a grant and loan program was available to farm co-operative for the rebuilding of farm labor camps. A rather large sum of money (I believe 2 billion) was approved by Congress for the overall uplift of migrant housing across the country and put into the hands of the Dept. of Agriculture for administration. Since I was Chairman of the Southold Town Economic Opportunity Committee and had recently been chairman of the migrant committee of the Suffolk County Council of Churches, it was only natural that I should work for the better housing desperately needed at the camp.

The farmers felt that they could not afford to encumber themselves with the debt involved in a 50% grant, 50% loan combination and so applied for a 75% grant, 25% loan on their project. Shortly thereafter, we were assured by the Riverhead office of the FHA that a 66⅔% grant, 33⅓% loan combination was within the realm of possibility. The thing was processed and then in late March the farmers received word that a set of administrative guidelines which directed that only "non-profit co-operatives composed chiefly of non-growers" was eligible for a grant. An article appeared then in the Sunday New York Times in which I said something about it being a shame and that only the migrants were punished in the long run. And then Senator Kenedy and a Mr. Lyons of the FHA both responded with "Lets look this thing over again".

The meeting in Senator Kennedy's office was presided over by Thomas Johnston with myself, the Rev. Ben Burns, Horace Wells, County Ag agent, Sidney Beckweth of the Health Dept. Barthly Beach and Mr. Lyons of the FHA, Harold Bushue and Ellen Upsham (VISTA), Wm. Chudiac and Al Patrick of the Co-op. I was the spokesman for the co-op. Calls were made to Washington and we seemed to get agreement that a grant loan combination was indeed possible, but when I pressed Mr. Lyons, he said it would have to be a 50–50 deal. The farmers felt they could only do it with the 66% grant and we had everything set with the exception of $17,000 which hung in limbo. Tom Johnston suggested that we might be able to get a foundation grant for that amount and I agreed to provide a packet of materials and a proposal for Kennedy's office. This proposal was then duplicated and sent to a hundred foundations and the only response received was from the Ford Foundation. Christopher Edley of the Ford Foundation told Harold Bushue and myself that funds were available for a program (e.g. a social worker camp manager with a Masters degree) but not for bricks and mortar.

I then made contact with a number of people to find ways to correct the housing situation at Cutchogue (for the sake of the migrants) and Senator Kennedy sent several people from Washington to visit me in my office. Bib Griscom (pilot for the Caroline) had recently lost his son in a tragic accident and Kennedy assigned him to work with me until his affairs were in order. I then learned that the rebuilding project was blocked at the County level for reasons that were probably as legitimate as my endeavors for better housing.

In September, I took Harry Minkoff and a group of people from the Long Island Advisory board of the State Human Rights Commission on a tour through the camp. Mr. Minkoff received a booklet of materials and proposals from me and sought to obtain help. Mrs. Saperstein of the same committee wrote a report with the recommendations which was suppressed for some time by the then chairman of the State Human Rights Commission and then finally released.

We were finally up against a wall and we simply continued to do migrant work with the bandaid efforts of our VISTA volunteers. It has bothered me no end all this time to know that an agency of the federal government has the authorization to correct a festering sore in our land and only plays games with a few demonstration projects.

The "What Harvest for the Reaper?" film was made during the summer and fall of 1967. We were involved toward the end of the filming and this overlapped the report of the Suffolk County Department of Labor which described and documented rotten farm laboring conditions in the County but passed them by with a statement that most of the laborers seemed to have been taken out of the bottom of the barrel. I hit the roof, since I knew a large number of these men personally, and wrote a proposal that the County appoint a task force committee composed of a wide spectrum of persons involved in the migrant labor problem and bring a measure of control and decency to the system. The County was not open to the proposal and kept it in a bottom drawer until the January disastrous fire in Bridgehampton made the proposal expedient. The report of that committee, which met until May, 1968, and which includes recommendations for the correction of migrant housing deficiencies, has not been released as of this date.

The Co-op was under considerable pressure following the release of the film and demolished a collapsed structure, removed the barb wire, and agreed to come up with a number of improvements dictated by the County Health Department. In May, 1968, the Co-op applied for loan funds to the tune of $10,000 from the FHA and fully expected to have no trouble since the FHA guidelines say that as a profit making co-operative they are eligible for low cost loans for the replacement of existing housing. However, although they complied with the rules saying that they must submit a financial statement, they have in effect been refused a loan under a new request from the FHA for a personal financial statement from each one of the members of the co-operative. In addition, they have learned that their loan was killed by probably the same official who held back on the 1966 attempt.

I am not inclined to cry over the $10,000 problem the co-op now has. A $10,000 investment in housing for 35 men in the building called "mortgage towers" is a very small sum when you consider the price of a tractor these days. But I am concerned with a breach of faith on the part of the FHA. Since this agency of government has revolving funds for the improvement of migrant housing and has a mandate of the people to use those funds, we shouldn't permit game playing with the small people who have little political power.

At the moment, the co-op is caught in a real bind and inclined to yell "murder". I doubt if it will get them very far. But, whether they yell or not, I think it might be useful for the Governor's Inter-Departmental to look into the situation. The results of such an effort might prove beneficial not only to migrant life on Long Island, but also over the entire state.

Last year (on Christmas day) we conducted services in a cold room of the child care center at the camp. One young woman sat there with a baby girl in her arms, a baby with long graceful fingers, a quiet baby. I kept thinking then about another baby born in disgraceful housing, born with all the indifference of a noncaring, tax collecting government facing it. I though about Christmas then and now and knew the system had to change somehow.

Sincerely yours,

ARTHUR C. BRYANT.

SPEECH BY REV. ARTHUR C. BRYANT, VICE CHAIRMAN OF THE SUFFOLK COUNTY HUMAN RELATIONS COMMISSION, CHAIRMAN OF THE SOUTHOLD TOWN VISTA PROJECT.

What can be done about migrancy in Suffolk County?

(1) Ask the County, nag the Country, get the County to release the report of the task force committee on migrant labor. The committee completed its work back in June—but nothing as happened since then. (Since the committee was farmer dominated, we must not expect great things from it. But then, since farmers did participate, we ought to expect the supervisors to implement the minimal improvements recommended.)

(2) Urge the County to adopt the housing chapter of the State Health Code. A notoriously rotten migrant camp in Riverhead has been filled with seasonal farm workers who live year round in the camp. The camp would now be in violation of the low standards of Chapter 15 of the NY Sanitary Code (migrants) but the crew leader has had the camp classified as a rooming house instead of a migrant camp. Normally such a switch would bring the camp into an area of higher standards. However, this camp lies in Southampton Township which has no standards and the County has no control.

(3) Volunteer time should be offered to SEA (Seasonal Employees in Agriculture) a funded Economic Opportunity program for migrants in Riverhead. Action should be taken to make this program county wide serving 89 camps as well as the resident seasonal workers and strong efforts should be made to retrain people and help them escape the system. Although this program is prevented by the government from really doing a job—unionizing the migrants and enabling them to fight for themselves—the program is still of value and can be made effective.

(4) Volunteer time should be offered to the United Farm Workers. The grape pickers' strike has to succeed if we are ever to get adequate unionization on the east coast. However, the grape pickers should commit themselves to the east coast struggle at the same time.

(5) Should potatoes be the primary crop in Suffolk County? Or have changes in transportation and processing indicated that our farmers are making a poor use of the land?

Are migrant field hands really necessary for a potato farm operation? One farmer claims that he does far better with three year round employees than his neighbor does with fifteen migrants.

One farmer in the film asks why he can't be guaranteed a price every year for his produce. Could this be done with potatoes? Would a guaranteed price and a staggered system for planting and harvesting give stability to the industry and allow for the year round employment of permanent residents?

What are the psychological implications of migrancy? One man suggests that migrancy like slavery brings a moral decay into a community. Farmers become junior excutives, have someone to blame for everything that goes wrong, enjoy feeling superior to dark skinned workers—carry this over into their personal lives, have a changed relationship with their wives and children, have altered attitudes toward pastors and priests in church life.

What are the implications of migrancy for the mental health of the migrant? Is the high rate of epilepsy a result of the recruitment of broken people for a peonage system? Or are the minds of the migrants broken by the crowded conditions in a bull pen, by the cheap alcohol, by the poverty, by the hopelessness?

What does migrancy do to a community near a migrant camp? Why do neighboring communities generally support and sympathize with the owner of a camp? Why don't these communities become angry at the crime, delinquency, health, and welfare problems that spill over and cost money and sometimes lives? When there is anger, why is it directed against the helpless and the exploited?

What are the inter-relationships between the migrant stream and the political powers of a community? Why are federal, state and county laws geared to regarding migrants as a sub-species of human being when clear evidence seems to indicate that it is to the disadvantage of the community when any people are subjugated?

Why has New York State allowed both its agricultural and its fishing industries to sicken? Is there anything that the State can do to restore health to its food producing industries? Should the State make the effort? Is there a national plan to locate food producing areas in the center of the country?

How do you re-educate a fullgrown man who has been oppressed by Southern discrimination who has been poorly educated (if at all) who has no hope, who has learned to con people in order to survive, who has generally broken all family ties?

What is the inter-relationship between the use of Negro labor in the South and in the rural North? Is there a relationship between the 50 square feet congestion rate in a migrant camp and the 121,000 people per square block congestion in Harlem?

Puerto Rico says that her workers should have a contract, be guaranteed 160 working hours in a four week period, have paid transportation to and from the place of work. It is illegal to recruit farm labor in Puerto Rico without a contract. Why did only 69 Puerto Rican laborers in Suffolk County have contracts this year when 500 were brought up to work in our fields?

What can be done about migrancy in New York State?

Request through petitions, letters, personal contacts, etc.

(1) That the State act to alleviate the conditions portrayed in "What Harvest for the Reaper"? Letters to the Governor must be marked "personal-not directed to the department of Agriculture".

(2) That the New York State Labor Relations Act be extended to include farm workers.

(3) That all farm workers be protected by unemployment and workmen's compensation insurance.

(4) That all workers brought into New York from out of State or processed through the New York State Employment service be given a contract guaranteeing 160 hours work in each four week period.

(5) That New York raise the standards of the State Sanitary Code, chapter 15, to conform to the provisions of the New York State Model Housing Code chapter on migrants.

(6) That investigations be made into the illegal sale of cigarets and wine at migrant camps.

(7) That farm workers be guaranteed the state minimum wage.

What can be done about migrancy in the United States?

Request through letters, petitions, personal contacts, etc. . . . that:

(1) The National Labor Relations Act be amended to make its provisions applicable to agriculture. Contact: Rev. Eugene L. Boutilier, Director, National Campaign for Agricultural Democracy, Room 201, 110 Maryland Ave. N.E. Washington, D.C. 20002.

(2) The minimum wage for agricultural workers be made equal to that enjoyed by other American workers covered by the interstate commerce Act.

(3 That migrants processed through the U.S. Employment Service be protected by a contract guaranteeing 160 hours of work in a four week work period.

(4) That migrants processed through the U.S. Employment Service be guaranteed a minimum of 80 square feet dormitory space per person.

(5) That the grant and loan provisions of the Farmers' Home Administration be extended and made more readily available to farmers who wish to improve the housing conditions of their workers.

And then there is something else

With some money and leg work, we ought to be able to provide stake funds for migrants who wish to leave the stream but can't do it without capital. Stake fund activity can be very rewarding for people who want action now.

FEBRUARY 1969.

Re opportunities for migrant workers in the State of New York.

To: Governor Nelson Rockefeller.

From: The Suffolk County Human Relations Commission, Mr. Ralph Watkins, Chairman, Rev. Arthur C. Bryant, Vice Chairman and Migrant Chairman.

The preamble of the Human Rights Law of New York States (July 1, 1968) states: "The Legislature hereby finds and declares that the state has the responsibility to act to insure that every individual within this state is afforded an equal opportunity to enjoy a full and productive life and that failure to provide such equal opportunity, whether because of discrimination, prejudice, intolerance or inadequate education, training, housing or health care not only threatens the rights and proper privileges of its inhabitants but menaces the institutions and foundations of a free democratic state and threatens the peace, order, health, safety and general welfare of the state and its inhabitants."

Twenty-four thousand seasonal farm workers annually migrate to the state of New York, the sixth largest user of migrant in the union. When they arrive in the state which has the finest civil rights legislation in the country, they find that they are systematically excluded from the equal opportunity promised to the inhabitants of the state, they are excluded from the New York State Labor Relations Act, are provided with a minimum wage which is inferior to that granted other workers in the state, and have their housing standards determined by an anachronistic state health code which provides separate and unequal treatment.

Since better than 99% of the migrant workers are non-white, minority group citizens of this county, the Suffolk County Human Relations Commission is particularly concerned about their plight. Our Commission has worked intensively with the approximately 4000 migrants who come into Suffolk, the foremost agricultural county in the state. We have learned, for instance, that the only protective contracts available to migrants are those legally binding on the users of the five hundred Puerto Rican migrants who come into the County. But only 61 of the 500 came into the county protected by contract, the others having been illegally recruited by Suffolk farmers. Black migrants have been provided with virtually no protection.

One third of the migrant force in New York State has been recruited through the services of the United States Employment Service and have accordingly been processed through the New York State Employment Service. Such workers have been directed to jobs which have no guarantee of a week of work. New York State sends men to jobs where work sometimes does not materialize for several weeks while camp indebtedness builds and traps men in an unwanted environment. And when work is available, the men find themselves against a system called "down time" where they are not paid if the machinery stops. Even the inferior hourly wage law for migrants is meaningless when it is possible and legal to pay a worker only five hours wages for a ten hour work day. We believe that it is possible for the state of New York to adopt work week contracts such as those used by the Commonwealth of Puerto Rico and see that these contracts are enforced.

Housing for migrant workers is governed by chapter 15 of the New York Sanitary Code. This code was revised last March to guarantee 50 square feet of living space per man in dormitory housing. The space provided for a grown man is approximately the size of the top of a pool table. This is in contrast to the New York State Model Housing Code for townships which guarantees 80 square feet of living space for a child over the age of two. Under the same State Sanitary code, outhouses are still legal in up-state New York at a ratio of one John for 15 men. The Sanitary code effectively guarantees the existence of the "bull pen" system, as it is described by the workers. The situation is created where the bully rules, the alcoholic throws up on the floor, and the T.B. victim coughs in everyone's face. In addition, most "bull pens" provide a shortage of chairs, no place to read a book, no place to keep private belongings under lock and key. When the troubles brewed in the inhuman bull pen spill over into the community, the state picks up the tab for crime, delinquency, health and welfare problems.

Migrants are not adequately protected by unemployment insurance. Field workers are denied access to unemployment insurance. Grader or shed workers are not informed of their rights and usually depend upon the welfare system when un-employed or under-employed. Migrants are also inadequately covered by workmen's compensation and in some cases have to bring suit (without funds) in order to secure justice.

The illegal sale of alcoholic beverages and cigarettes is common within migrant caps and law enforcement officials seem unwilling to correct the situation. The illegal pushing of cheap wines at the camps not only works a hardship upon the sober worker, but also creates severe problems in the communities surrounding the camps.

The principal defect in the migrant labor system is the failure of the state and federal governments to include migrants under the provisions of the labor relations act. Consequently this portion of our work force has no voice in its own destiny and is instead ruled by a set of indifferent and paternalistic laws. Should the state really have the responsibility to provide "equal opportunity" to its inhabitants, then its first corrective step should be to extend the labor Relations Act to migrant workers.

The state should look to the efforts of the United Farm Workers of California. When Union contracts were established with the Schenley Company, a migrant camp housing five hundred workers was emptied. Workers in the local pocket of poverty now go to work in the morning and return to their families in the evening and no longer have to travel to Texas as migrants. We believe that a legitimate opening for a good union for farm workers would go a long way toward opening year round jobs for permanent residents of the state and relieve the state of the many satelite costs that the taxpayer now assumes as a subsidy for a twentieth century form of slavery.

[From the Long Island Catholic, Thursday, Apr. 17, 1969]

EDITORIALS—FARMWORKERS PLIGHT

A little over a year ago, The Long Island Catholic ran a series of articles on the farmworker, farmer situation on eastern Long Island. Last November we went back to the agricultural scene to take a follow-up look at what progress had been made in bettering the conditions of both the workers and the farmers. In the past few weeks, we have again revisited the farm world.

We are not impressed. In spite of a stated and publicized interest among individuals, groups, and legal representatives in the New York State Department, we feel the farm worker in 1969 will find little more to cheer about than in previous years.

Multiple agencies, both publicly funded and privately run, have offered their help to the men in the labor camps. Some progress has been made in getting improved living conditions, medical care, and education for literacy.

But who has put more money in the farm worker's paycheck for the work week he puts in? Is the farmer's fear of a workers' strike at a critical point in the season a valid reason for excluding the farm worker from the right to bargain collectively and speak for himself? Why is he still not eligible for compulsory workmen's compensation and unemployment insurance, receiving these benefits only if the farmer chooses to offer these protections?

Other questions also bother us. Last spring, Suffolk County Executive H. Lee Dennison set up a nine-man task force to study the farmer and employee situation in Suffolk. As yet, a report on their findings has not been published. Where is the commission's report? Why has there been such a long delay?

Again, why must workers in the potato grading sheds, mostly run by industrial outfits, still be exploited by the "down-time" system, where they must put in their time, but get paid only when the machines are running?

As for the farmers, no one denies their very real problems. Because we are concerned about these, our reporter called Farm Bureau and requested an interview with a few farmers, precisely for the purpose of doing a story on the problems of agriculture from the farmers' point of view.

Though the interview was arranged with this assurance, our reporter arrived in Riverhead, to find only one farmer present. He demanded that no story be written on the migrant workers. He said the farmers had been hurt by bad publicity, and that they were angry.

Our suggestion is that the farmers put aside their anger and move immediately in the direction of communicating with all county, public and private agencies concerned about the agricultural situation, so as to begin working towards professional solutions of these problems. Could we also question the morality of their equating the cost of improving camp conditions with the right of a man to a small square area of living and breathing space in the camp where he lives for an entire work season?

We feel it is imperative that all conscientious residents of Long Island urge their state legislators to reject bills—such as the Walkley proposal to delay camp operators' compliance with the 1968 Sanitation Code—and to vote for bills which would tangibly aid the farmworkers, such as those advocated by the Suffolk County Human Relations Commission and the New York Catholic Committee.

From our point of view, there is only one long lasting way to help the farm workers. It must be through including them in the National Labor Relations Act and with effective legislation which will propel them into the ranks of equality with other American laborers.

It is long past time for all of us—who enjoy the fruits of the farm laborers hands—to recognize the intrinsic value of his labor.

[From the Long Island (N.Y.) Catholic, Thursday, Apr. 1]

THE MIGRANT LABOR PROBLEM—WORKERS, FARMERS AIR VIEWS

(By Antoinette Bosco)

One year ago The Long Island Catholic first looked into the migrant situation in Suffolk County. The effort resulted in a series of articles that explored various aspects of the situation. This past month The Long Island Catholic re-focused its attention on the same issue. These two stories—from two different sides—offer an up-dated examination.

The seasonal farm worker on Long Island will find his 1969 situation a little different from that of former years.

On the positive side—

More people in both Long Island counties are now aware that Eastern Suffolk County needs migrant and seasonal labor to maintain a productive agricultural economy.

Some two dozen agencies, public and private, vocally and/or actually offer health, tutoring, limited job training and emergency needs services to the farm worker.

Camp housing has been improved, at least to the extent that each man now gets another 10 feet of space, in accordance with the New York State Sanitary Code legislated last year.

As of Feb. 1, farm workers recruited through the New York State Employment services began receiving 15 cents more per hour, bringing their hourly wage up to $1.30—still significantly less than the minimum wage of other workers.

The gains are few. The negatives are still overwhelming.

Migrants and farm laborers are still specifically excluded from the National Labor Relations Act, which means they have no channel for collective bargaining, or for putting their just complaints on the table.

They are not represented by a union, or even remotely close to starting one. They are not covered by unemployment insurance or workmen's compensation.

Farm workers processed through the United States Employment service are still not protected by any kind of contract that would guarantee them a full month's work, or 160 hours of work over a four-week period.

The "down-time" system has not been changed, where a worker gets no pay for idle hours on the job which are not his fault. A bill has been proposed to give them half-pay during these frequent work-stop periods.

To add to the negatives, Republican Assemblyman Frank Walkley has sponsored a bill in the state legislature to extend the limit to as much as 10 years before camp operators would have to conform to the 1968 State Sanitary Code.

"They're even trying to take away the few feet the migrants got," commented the Rev. Arthur Bryant, migrancy chairman of the Suffolk County Human Relations Commission and pastor of St. Peter's Lutheran Church in Greenport.

A flurry of public interest in Suffolk's migrants a year ago—which coincided with a six-part series on the problems of workers and farmers in The Long Island Catholic—brought representatives from the State Migrancy Commission to Riverhead in Feb., 1968, to hold hearings for airing of agricultural problems.

Further state-level interest was evident in the apopintment of Jack M. Sable, a social worker and head of the State Economic Opportunity Office, as the chairman of the Governor's Interdepartmental Committee on Migrant Labor. In March, Governor Rockefeller created an advisory council on migrant labor to work as a liason between local governments and private agencies and Mr. Sable's committee.

After the Riverhead hearings, Suffolk County Executive H. Lee Dennison set up a nine-member commission as a "task force" to "gather information and submit recommendations" to the county for ways of improving the conditions of both farmers and workers.

While the work of the commission was completed in June, 10 months ago, no report is yet available as to exactly what the commission learned and recommended ot Mr. Dennison. Miss Lucy Lemmer, who was chairman of this commission, told The Long Insland Catholic in mid-March that the report would be available within a few weeks. It has not been received so far.

Rick Van Dyke, migrant coordinator in Riverhead, hired by the Suffolk Council of Churches, said that fewer migrants are coming to this area each year. He predicts the probable decrease in 1969 will be from 150 to 200 workers. His estimate for 1967 was 2,934 migrant and seasonal workers. In 1968, this had dropped to 2,629 persons.

"It's a small problem," said Rev. Bryant, "but a lot of people."

The Lutheran pastor maintains that the basic problem is lack of legislation for farm worker rights.

"It's a constitutional issue as I now see it. The farm workers have been voted out of citizenship. They have no voice in their own destiny. The government plays games, saying, we're not out to hurt the worker, but we're trying to help the farmer. And they sell the rights of human beings down the river.

"Field hands can't organize. They're not included in the labor relations act so they can't speak for themselves. They have no representation, no guarantee of a minimum income, no unemployment insurance," said Pastor Bryant.

The Suffolk County Human Relations Commission has taken positions on about 45 1969 bills before the state legislature, all relative to race, poverty, and welfare. The work of preparing the statements on these bills was "developed by and ad hoc group of people from churches, universities and civil rights groups as well as from the Suffolk Human Relations Commission," said George Pettengill, executive director of the commission.

New York's Catholic bishops, through the New York State Catholic Committee, have asked the legislature to approve 12 bills which would eliminate some of "the inequities" long suffered by farm laborers.

The 12 bills whose passage was "urged" by the Catholic committee, would seek the following:

To extend workmen's compensation to farm laborers.

To clarify workmen's compensation coverage of farm workers.

To extend coverage of the Labor Relations Act to farm workers.

To require written contracts for migrant farm workers.

To give the attorney general the power to protect the migrant farm worker from unfair practices by stores and employees.

To extend coverage of the minimum wage law to farm laborers.

To require that the employer obtain a health certificate of any migrant brought into the State.

To require adequate toilet facilities in farm labor camps.

To require the employer to give the farm laborer his name, address and facts about deduction.

To extend unemployment insurance coverage to farm labor.

To require employer to provide a pay phone in labor camp.

To require payment of partial wage to farm labor for idle time due to equipment failure.

[From Newsday, Long Island, N.Y., Apr. 11, 1969]

STATE UNITS PROBE LI MIGRANT'S DEATH

(By Jim Toedtman)

Riverhead—Gov. Rockefeller's Commission on Migrant Labor and the State Division of Human Rights opened investigations yesterday into the hospital treatment given to an Aquebogue farm worker less than 10 hours before he died.

Dr. Jack Sable, chairman of the migrant commission, and James Foster, regional director of the human rights division, said that they were investigating the death Tuesday morning of James Bittle, 40, whose body was found at the Lipco-Agway labor camp on Edgar Avenue in Aquebogue. Bittle had complained of pains, a high fever and nausea Monday, and was treated at 8 PM for a sore throat at Central Suffolk Hospital. He then returned to the one-story barracks where he had lived for a week and died in his sleep between 4 and 6 AM.

The Riverhead Town Police Department, investigating the death, reported that there was "no outward signs of violence," but said it was still awaiting the final autopsy. A spokesman for the Suffolk medical examiner said that the autopsy report would be made after additional studies of various body tissues.

The state probe began a day after the Suffolk Human Relations Commission launched its own investigation to find "why this critically ill man was not admitted to the hospital," according to the Commission's vice chairman, the Rev. Arthur C. Bryant of Greenport.

Patrick J. Farrell, assistant administrator of the hospital, said that he was unaware of the investigations, but said that Bittle had not appeared to be seriously ill when he was examined Monday by Dr. Fernando Cabebe. "I have reviewed the record," Farrell said. "There was no need to feel that he should be hospitalized."

Sable said that State Human Rights Commissioner Ruperto Ruiz was investigating the incident for the governor's commission and would file a preliminary report today. "We want to determine if by denying entrance (to the hospital), there was a violation of his human rights," Sable said. Foster said that his investigation had also begun, but would not elaborate.

James Brown, Bittle's crew leader, and Mrs. Helen Davis, health coordinator for the Seasonal Employes in Agriculture, a federally funded program for migrant workers, criticized the hospital for its treatment of migrant workers.

"I've tried to get all my men into the hospital at some time. They'll give them a pill, but they won't take them in," Brown said. Mrs. Davis added, "Crew leaders can't get their workers admitted." But she said that the 10 persons he had referred to the hospital in the last four and one-half months have been admitted. Farrell said that the criticism was unfounded. He said that farm workers are "treated like all other patients."

Bittle had migrated to Suffolk from Baltimore three years ago. For most of that time he worked as a landscaper for several contractors. Two months ago, however, he joined Brown's crew of 35 laborers employed by Lipco-Agway, and early last week moved to the drafty, "bullpen type" barracks with 13 other men.

At the hospital, officials there said, Cabebe examined Bittle, found he had a sore throat and prescribed aspirin and penicillin and told him to see his personal physician, or the on-duty physician, Dr. Donald Farrell, the next morning. A friend of Bittle's, Clarence Taylor, said that Bittle was up "at about 4 in the morning and he (Bittle) asked me for a cigarette. He seemed all right then. Then we shook him for breakfast two hours later and he was dead."

[From Newsday, Long Island, N.Y., Apr. 17, 1969]

ASSEMBLY OKs MIGRANT FARM WAGE

(By Dick Zander, Newsday Political Writer)

ALBANY.—Without any debate, the Assembly approved yesterday a proposal backed by Gov. Rockefeller that would set the state's first minimum wage for migrant farm workers at $1.40 an hour as of Oct. 1.

The bill, passed unanimously, also called for raising that $1.40 figure to $1.50 an hour as of Feb. 1, 1971. While there has been no state minimum for farm workers, there has been a federal minimum of $1.30 an hour. The bill, which is expected to be approved by the State Senate, apparently would have little effect on migrant workers in the state. Studies by the state, according to a spokesman for the Long Island Farm Bureau, show that the average farm worker earns $1.57 an hour.

Philip Horton, the spokesman for the farm bureau, said that his organization backed Rockefeller's minimum wage proposal. Suffolk County farms are one of the major employers in the state of migrant workers. Last year during the farm season, 2,600 employes were hired, of which 1,800 were classified as migrants. The Suffolk Human Relations Commission has called for raising the state minimum wage for migrants to $1.60 an hour, which is the state minimum for most other jobs. Horton said of the commission's position, "This is going too high, too fast." The Rev. Arthur Bryant, vice chairman of the commission and head of its committee on migrant labor, said failure to raise the minimum to $1.60 creates "an underclass."

Other provisions of the new minimum wage bill provided (1) the state industrial commissioner with authority to adopt regulations, after public hearings, as to piece rates, non-hourly or weekly rates, food and lodging allowances and other protections for workers, and (2) for the establishment of an advisory council, comprised of representatives of growers, farm workers and the public and an independent chairman to consult with and advise the industrial commissioner on such regulations.

Rockefeller called for passage of the measure yesterday in a special message to the Legislature. He also asked for affirmative action on two other related proposals that already have been approved by the Assembly. One would strengthen procedures for enforcing the public health law and sanitary code with regard to migrant labor camps and the other would permit farmers to provide, voluntarily, agricultural workers with unemployment insurance coverage. Since the inception of unemployment insurance in the state, farm workers have been excluded, even on a voluntary basis. Both of these bills now go to the Senate, where their chances of passage were considered good.

SUFFOLK COUNTY HUMAN RELATIONS COMMISSION,
Hauppauge, N.Y., April 9, 1969.

Re S3957 by Senator Robert Garcia
A 394 by Assembylman Manuel Ramos

We sincerely hope that you will help us to bring the above bills out of committee and on to the floor for a vote. The bills would amend the New York Labor Relations Act, Art. 20, Sect. 701, paragraph 3 which presently excludes from the definition of employee "any individuals employed as farm laborers" by removing the exclusion.

As we understand it, the 1937 exclusion was written in an attempt to help the depressed situation of New York State farmers. However, we see the inequities created as a basic violation of democracy in that the privileges of a favored group were enhanced at the expense of the rights of a weaker group.

That collective bargaining is regarded as a "right" in this state is spelled out in the LRA itself. "It is likewise recognized that the denial of *the right* of employees freely to organize and the resultant refusal to accept the procedure of collective bargaining, substantially and adversely affect the interest of employees, other employers, and the public in general. Such denial . . . tends to increase public and private expenditures for the relief of the needy and unemployed. It is hereby declared to be the public policy of the state to encourage the practice and procedure of collective bargaining. . . ."

Exclusion of farm workers from the NYLRA has not proven beneficial to the farm economy. The history of these past 32 years has shown a constant swallowing up of the small farmer by large growers and processors who have had the advantage of cheap exploited labor. The resultant peonage state of the voteless and voiceless farm laborer is a horrible commentary on an otherwise progressive state.

Inclusion of farm laborers under the National Labor Relations Act would only cover 10% of the 24,000 workers who migrate to New York State. The problem is basically a state issue. Two states, Hawaii and Wisconsin, include farm workers in their labor relations acts without visable hardship to their agricultural economy. There is no responsible reason for continuing an old injustice. Farmer fears of Communism, crippling strikes, boycotts, etc. are much more real without the control of the Labor Relations Act than with it.

The issue of migrancy as a twentieth century form of slavery continues to be a very pressing issue among voter groups, college students, and civil rights groups on Long Island. It is an issue in Rochester, Wayne County and many other upstate communities. It will not be solved with any further proliferation of paternalistic migrant regulations. Many of us regard the issue as one of democratic process and note that the Human Rights Law considers it a function of the state to: "insure that every individual shall have *an equal opportunity* to participate fully in *the economic*, cultural, and intellectual life of the state."

The New Jersey Governor's Task Force Committee on Migrancy in 1968 encouraged coverage of farm laborers under Labor Relations Act provisions in that state and noted: "It is a triumph of bureaucracy over informed citizenry that with all the commissions, studies, hearings, and reports over a forty year period that little has resulted in tangible benefits for the worker." It is time now to give the farm laborer a voice in his own destiny, argue his own case and stand up as a man among men. The key to this is removal of his exclusion from the labor relations act. Please do what you can to bring action on the above bills.

Yours truly,

ARTHUR C. BRYANT, *Vice-Chairman.*

Key representatives to write if you wish to correct a long standing injustice and bring these bills to the floor for a vote.

Your own State Senator and Assemblyman and Senator Earl Brydges, Wilson County, Chairman of the Rules Committee, Senator Thomas Laverne, Rochester, Chr. of the Labor & Industry Committee, Senator Warren Anderson, Binghamton, Chairman of the Finance Committee, Senator Theodore D. Day, Interlaken, Chr., Agriculture & Marketing Committee (address communications to Senators, The Capitol, Albany, N.Y. 12224). Assemblyman Perry B. Durea, Montauk, Speaker of the Assembly, Assemblyman John E. Kingston, Westbury, Majority Leader, Assemblyman Stanley Steingut, Brooklyn, Minority Leader.

(Address communications to assemblyman at The Capitol, Albany, N.Y. 12224)
Legislature reopens April 15—closes April 29, 1969

Time Is Short

SUFFOLK COUNTY HUMAN RELATIONS COMMISSION,
Hauppague, N.Y., April 20, 1969.

Hon. PERRY B. DUREA,
Speaker of the Assembly and
Senator EARL BRYDGES,
Chairman of the Rules Committee, The Capitol,
Albany, New York.

GENTLEMEN: Under separate cover, I am sending approximately 5,000 petition signatures gathered at the doors of Churches of the Metropolitan Synod of the Lutheran Church in America. The petitions for migrant legislation will go *to rob the poor of my people from their right, that widows may be their spoil, and* on the subject from this week's Long Island Catholic. As you are no doubt aware, there has been considerable support from many church bodies for a program to bring migrants under coverage of the state Labor Relations Act.

The religious point of view is spelled out in the opening sentences of the tenth chapter of Isaiah: "*Woe to those who decree iniquitous decrees, and the writers who keep writing oppression, to turn aside the needy from justice and to rob the poor of my people from their rights, that widows may be their spoil, and that they may make the fatherless their prey.*"

There's no need to get overly religious, gentlemen, but let's face it—32 years of having an unjust law protected by a small committee in an otherwise democratic government is just too much. Since you have the power to bring S3957 and A394 out of committee and present them before the legislature, we ask that you use that power. Please!

The issue is exactly the same as that which preceded the Civil War. Long delayed action on equality of rights creates explosive tensions. We do not expect a Civil War in this century, but the members of our commission have walked the streets as mediators in racial strife too many times in these past few years. We are fully aware of the tension now felt in our society.

The denial of rights to black farm workers is probably the key to the whole civil rights movement. Migrancy is a living vestige of slavery. The struggle for the rights of our "rented slaves" brings into clear focus the choice our society has to make between property values and human values.

We are asking for a vote—a democratic thing. Please make it possible.

Sincerely yours,

ARTHUR BRYANT, *Vice Chairman.*

[From Long Island (N.Y.) Press, Apr. 28, 1969]

LI MIGRANT WORKERS STILL LIVING IN SQUALOR

Squalor and filth greeted a Long Island congressman yesterday as he took a whirlwind tour of two Suffolk migrant camps before holding a hearing on problems of seasonal employes.

Rep. Allard Lowenstein, accompanied by representatives of the Suffolk Human Relation Commission and Seasonal Employes in Agriculture (SEA), visited the Agway Inc. and Mort Zahler camps on Edgar Avenue, Riverhead.

Lowenstein, Long Beach Democrat, said later: "There exists a large group of Americans living under conditions that would not be proper even in the most primitive times."

"We have much more to do that we have done," he said. "This only reinforces my determination to do something."

The House agricultural committee member asked the migrants about conditions. Most asked for help but their tired faces showed little hope.

At the Zahler camp, a forgotten string of Christmas lights hung from the shingleless, leaking roof to a spot above a screen door rotted and peeling.

The heat inside the two-room shack was oppressive even with the windows open and a cool breeze blowing. A man inside spoke briefly with Lowenstein but without grasping what the meeting was all about.

Lowenstein next toured the "bullpen," a building housing 21 cots and little else. The blankets on the bed were thin and worn. Mattresses showed the effects of years without change. Stuffing billowed from some; others were so grimy and faded, their original color had long since disappeared.

Two of the migrants, Frank Funn, 40, and Samuel Carter, 58, said they were in the camp because this is the only thing they know.

One of the workers said the food was "pretty good" in response to a question from Lowenstein. "We get plenty of rice and beans," he said. He made no mention of meat.

But several other workers said they occasionally were fed chicken, pigs knuckles and feet.

Bathroom facilities consisted of two commodes, a sink and a shower. Water trickled from a pipe onto the muddy floor and room reeked of urine.

At the Agway camp the "bullpen" had been newly painted. Some of the beds had mattress covers.

But on the whole it was far below the housing standards one has become accustomed to—even in the worst areas of Long Island or any place else.

Lowenstein returned to the SEA building on Flanders Road to hear migrants, farmers and others state their cases on the question of migrant housing.

"Farm workers are serfs—strapped to the soil," said the Rev. Arthur Bryant, Suffolk Human Relation Commissioner vice chairman. "They are voteless because they are homeless."

He told Lowenstein farmers were only obligated to provide 50 square feet for each laborer as compared to 80 for any other person.

The laborers are only guaranteed $1.40 an hour while the state minimum wage is $1.60. "Are they any less hungry," he asked.

Raymond Nelso of SEA called the migrants the "lowest of the low when it comes to wages.

"They spend $158 million for the protection of wildlife and fish," he said. "The migrants have no protection."

A student at the State University at Old Westbury testified he had not received more than $37 a week during the summer he spent in the Agway camp.

Mark Aron of Scarsdale said crew chiefs sold wine to the workers at markups ranging between 100 and 150 percent. "There's nothing to do out there and sometimes a bottle of wine takes your mind off the loneliness," he said.

He also said the workers were not paid for time spent because of mechanical difficulties. "You get out there at 7:30 a.m. after an hour truck ride and you sit until the truck arrives," he said. "The grader breaks down and you wait some more."

Farmers Albert Zanowski and William Chudiak defended farm management practices. "We have to compete with Canadian farmers who don't have to pay any minimium wage," he said.

Zanowski said prices received have been below cost of production for the past three years. In December, 1968, farmers were receiving $2 for 100 pounds of potatoes. Last month, the price dropped to $185, according to the farmer.

"I'd like to be able to pay the seasonal workers $2 an hour but I can't," he said. He noted area farmers had spent $5 million in the past several years to improve the migrant camps.

REPORT OF SUFFOLK HUMAN RELATIONS COMMISSION TO SUFFOLK BOARD OF SUPERVISORS—CHAPTER ON MIGRANCY, MAY 1969

MIGRANT FARM WORKERS

Out of genuine concern for the class, economic and racial discrimination the seasonal farm worker experiences when he enters Suffolk County, in November, 1967, the Suffolk County Human Relations Commission recommended to the Board of Supervisors and the County Executive the immediate creation of a task force committee to write a comprehensive plan of action toward the phasing out of the migrant farm labor system in Suffolk which would insure humane working and living conditions for any seasonal farm workers caught in a transitional stage. The County responded and a Task Force Committee was formed in January, 1968. However, since the County did not include migrant workers on this committee as recommended by the Commission, the Commission protested this violation of the dignity of those human beings most vitally concerned. Our protests were ignored.

Although the Task Force Committee met regularly from January until May 1968 and final committee reports were submitted at its closing session, no comprehensive report has been issued to the public and the Board of Supervisors has taken no action as yet to relieve the intolerable working and living conditions inflicted upon migrant workers in this County. We ask that the Board of Supervisors release the report of the Task Force committee immediately and that time be allotted at Board meetings for discussion and implementation of a number of good recommendations made by the committee.

The report urges the extension of the National Labor Relations Act to include farm workers. This should be made public for the guidance of our legislators. Since New York State is presently considering similar extension of its Labor Relations Act it is important that its legislators become aware that a County of a million people approves extending the right of collective bargaining to an otherwise voiceless people.

The report also recommends that the County request the State of New York to take action so that county governments may create housing authorities. This would be a first step toward providing adequate housing for migrant farm workers and other poor people in Suffolk County. The task force recommended that consideration be given to government operation of labor camps or other centralized housing, together with provisions for job transportation. This should be seriously considered.

In addition to the task force committee's report, the SCHRC requests that the County support pending legislation extending tenant rights of access to migrants living in labor camps. We find it a gross violation of human dignity that a processor's "no trespassing" sign can prevent farm laborer from having visitors to his rented home. We ask that the County Health Code be extended to require portable toilets for workers in the fields and adequate flush toilet facilities at places of work. We ask that social service information be made available to every migrant entering the County and that funds be provided to enable a distribution of easily read material (in English and Spanish) describing rights and laws available to farm workers in Suffolk. And we further ask that the County make known its firm intention to rigorously enforce all existing laws protecting the living and working conditions of farm laborers.

As this is written we note that the average wage available to workers at one good camp during January, February, and March 1969 was $25.00 a week. The rent at this camp is $4.55 a week. The costs for board are $16.00 a week. Beverages (including breakfast coffee) are not included in the costs for board. An 8¢ can of soda sells for 25¢. A 51¢ bottle of wine sells for $1.00 cash and $1.25 on credit. A typical breakfast consists of grits. Supper consisted of pigs knees the night we visited. It is outrageous that human beings are so treated in Suffolk County, 1969.

AMERICAN ASSOCIATION OF UNIVERSITY WOMEN,
NEW YORK STATE DIVISION,
Amagansett, N.Y., May 14, 1969.

Honorable ALBERT M. MARTOCCHIA,
Supervisor, Town of Southold,
Southold, N.Y.

DEAR MR. MARTOCCHIA, please add my voice to those who seek the reappointment of The Rev. Arthur G. Bryant to the Suffolk County Human Relations Commission. Enclosed for your information is a copy of my September 12, 1968 letter to the Board of Supervisors, urging Mr. Bryant's reappointment.

Frankly, I find it strange that the Board finds any wisdom in delaying action on this sensitive appointment. Last night I spoke with Perry Duryea who agrees with me that this is an important post and Mr. Bryant is a good man.

I am serving on an AAUW Study for Action Committee, appointed by our Division last June in response to the Kerner Report. We have finished a survey of our 70 New York branches and following are brief excerpts which illustrate that the problems of migrants are entangled with the entire community, not only in Suffolk but throughout the State:

Majority findings indicate one or more of the following inequities (re fair housing): insufficient personnel to enforce equal housing laws; housing shortages within the low-to-middle income range. . . . Second in order of weaknesses was the inadequate housing facilities and appalling high rents for low and middle income earners of all races . . . Inadequate public transportation . . . Discrimination against migrants also received much comment.

Remedies may be found in a number of existing programs—Human Relations Commissions, Housing Boards, Business-Community sponsored housing . . .

Areas which report conditions similar to those in Suffolk include Monroe and Broome Counties, and communities including Cortland, Jamestown, Niagara, Ontario, Buffalo and Elmira. Only where the government officials were dedicated to a genuine attack on community problems was there any glimer of hope of eventual solutions. Even then, enlightened officials were often hard-pressed to find individuals willing and qualified to grapple with the agonizing situations and conflicts involved.

Politicians may be weary from the many pressure groups urging them to act on issues. But they can be no more exhausted than are those who have to plead and beg for an equal opportunity and for relief from their crushing burdens. Further delay in reappointing a man who has won the confidence of Suffolk's minorities could create doubts as to the Board's sincerity. Actually, we need a dozen more Mr. Bryants.

Your vote and support is essential to the effectiveness of Mr. Bryant's work. I urge you to help expedite his reappointment as one way of showing the citizens of Suffolk that the Board of Supervisors supports the fine and very professional work of the Suffolk Human Relations Commission which the Board created.

Sincerely,

Mrs. James H. Reutershan,
Area Representative for Community Problems.

[From Suffolk Sun, Hauppague, N.Y.]

Controversy—Rights Board Verdict Awaited

(By Patricia Carroll, Sun Staff Writer)

Riverhead.—Southold Supervisor Albert Martocchia said Monday he has not decided whether he will block the reappointment of the Rev. Arthur C. Bryant to the Suffiolk Human Relations Commission.

Martocchia spoke after representatives of several county civil rights organizations had urged the reappointment by the County Board of the vocal critic of Suffolk's migrant labor system.

Asserting that he favors improvement of the migrant labor system, Martocchia said he has not made a decision because he is still waiting for recommendations and suggestions.

While County Executive H. Lee Dennison makes the formal appointment to the Commission, he bases his action on an unwritten "gentleman's agreement" under which appointments traditionally are not made without the approval of the local town supervisor.

The Rev. Bryant resides in Greenport Village, Southold Town.

Dennison and Martocchia both said Monday that they will not make a decision until after meeting with the Human Relations Commission next Monday.

Andrew Hull, vice chairman of the Suffolk Civil Rights Coordinating Council, urged that Bryant be reappointed. In a letter to County Executive H. Lee Dennison, Hull said that in October, 1968, the council formally voted such support. The council represents 40 civil rights groups in Suffolk.

Hull also charged in the letter that Martocchia had been directed by "persons outside of Suffolk County" to recommend the appointment of some one other than Reverend Bryant.

"We can only view such an action with alarm and indignation," wrote Hull, "In so far as it seems to us a clumsy and heavy-handed reprisal on the part of the agricultural interests that feel threatened by the Reverend Bryant's continuing criticisms of the migrant labor system and by his exposure of this system . . ."

Martocchia said at the meeting that he has received several suggested names and that the names and any opposition to Rev. Bryant do not come from the agricultural interests.

"I'm in favor of improvement of the migrant labor system," Martocchia said. "Some of them (migrant farms) are pretty sloppy."

Several persons joined Hull in asking that Rev. Bryant be recommended for reappointment.

Thelma Drew, first vice president of the Smithtown branch of NAACP, which is not represented by the council, urges reappointment of the Reverend Bryant. "He's doing a marvelous job," she said, "and he's doing it on a volunteer basis."

[From Suffolk Sun, Hauppague, N.Y.]

TENDER TOES

In his capacity as chairman of the Suffolk Human Relations Commission's committee on migrant labor, the Rev. Arthur Bryant, of Greenport, has been forced to step on some tender political toes. Nevertheless, he has succeeded in drawing public attention to the plight of farm laborers and achieving some reforms.

Unfortunately, the Rev. Mr. Bryant's term in office has expired. For reasons too obvious to mention, the Board of Supervisors is not inclined to reappoint him. County Executive H. Lee Dennison hopes to retain his unpaid services by refusing to appoint a successor, but this is not a satisfactory arrangement. Somewhere the supervisors should find the courage to reappoint a man who has done so much for the underprivileged.

PICK BRYANT, OR ELSE, RIGHTS LEADERS WARN

Hauppauge—Civil rights groups asked Suffolk County Executive Dennison yesterday to reappoint the Rev. Arthur Bryant to the Suffolk County Human Relations Commission. And one civil rights leader said that if Dennison failed to make the appointment, civil rights groups throughout the county would hold demonstrations.

Ben Watford, president of the Smithtown branch of the NAACP, said that he and other civil rights leaders are convinced that Bryant's reappointment has been blocked since last year because of the minister's work on behalf of migrant farm workers in Eastern Long Island. "If he's dumped, we're going to carry it as far as we can. If it necessitates picketing every supervisor in every town, we will," Watford said. "We intend to put pressure on every supervisor in the county."

Watford said that the demand would be given to Dennison during a meeting at Dennison's office at 9 AM today. Scheduled to attend the meeting in support of the ultimatum were Clayton Chesson, chairman of the Eastern Suffolk chapter of the Congress of Racial Equality and Thomas DeChalus, the NAACP's Suffolk regional director. Watford said: "I'm going to tell him that we're going to try to keep the summer cool, but we need help . . . We're going to apply the pressure."

Dennison said later, "I'm not happy about receiving threats. But I have an appointment and I'll keep it." He said he would not make any appointments to the commission until after the county board and the rights group meet next Monday.

Bryant has maintained that his outspoken criticism of the migrant labor system stymied his reappointment. "Some things were bitterly resented," he said yesterday. "Nobody resented the death of three migrants in Bridgehampton, but they resented talk about it." Three farm workers were killed in January, 1968, in a fire in a labor barracks which had been cited by the county health department for heating and sanitary violations.

Demands for the reappointment of Bryant have come from a number of civil rights groups throughout the county. Representatives of four groups appeared at Monday's Suffolk Board of Supervisors meeting to express their support of Bryant, who is vice chairman of the commission. In a recent confidential report to the county board, the County Human Rights Commission recommended the reappointment of Bryant, adding: "His forthright denunciations of the migrant labor system and his attempts to change or end it have resulted in his being blackballed by the supervisors."

[From Sunday News, New York, N.Y., May 25, 1969]

A VANISHING BREED—TIME CHANGES THE MIGRANTS' LOT

(By Michael Alonge)

On a warm Monday morning, the migrant worker camp on Queen St. in Greenport was quiet. The approach of a car passing the no trespassing signs on the pot-holed road was watched silently by a heavyset black man in khaki.

The Rev. Arthur C. Bryant, chairman of the Suffolk County Human Relations Commission's Migrant Committee, was driving some visitors on a tour of several migrant camps. When the car stopped, the man in khaki spoke to the men inside, then entered a long wooden, unpainted building to summon the crew leader.

"No, you can't talk to the men," the crew leader, a neatly dressed black man, told the visitors. "It's not right your coming around on a Monday morning. The men, some of them, aren't feeling so well from drinking wine all weekend."

The crew leader said he had to drive a photographer off the camp ground the week before.

"A man's got a right to privacy," he said. "This isn't a bad place to live."

The visitors, he ruled, could not enter the wooden building where the men lived.

Several miles away, in Riverhead, the visitors later were welcomed into a camp run by Lipco Agway Co., one of Long Island's largest distributors and packers of farm products.

They were shown clean, well-lit barracks-style rooms, where 31 men ate and slept. Clothes were hung neatly in racks and the floor was spotless—not a cigaret butt in sight.

Fonnie (pronounced Fawny) Tetterton, 47, is the crew leader. He is a black man who came from North Carolina 16 years ago. He talked freely about his job and the men who work for him.

"There are some decent people here," he said. "Some, though, do better than others."

Wages, ranging from $1.60 to $1.80 an hour, have never been better, he said.

"A man can make a few dollars if he wants to," Tetterton said.

During the off-season he keeps his own crew busy painting, making repairs and cutting the grass around the camp.

He said he encourages his crew to open savings accounts.

"Some people," he said, "you gotta help to survive."

These two camps perhaps are extremes. But they are typical of the condition of migrant worker camps as they exist on Long Island today.

For more than a decade, the number of camps and migrants in Suffolk has steadily decreased. There were 134 camps with 2,332 migrants in 1958. Last year, there were 87 camps with 1,239 workers at the season's peak.

Born into poverty in Mississippi or Arkansas or the Carolinas, generations of black migrants have moved with the harvest as perpetual wanderers through rural America. From Long Island they go to Virginia or Florida to pick potatoes or strawberries as the seasons change.

Poorly paid, frequently with little or no family ties, always unorganized and often in virtual bondage to ruthless crew leaders, the migrants, until recently, were truly a forgotten people.

In January, 1968, three farm workers, a mute woman and two men, burned to death in a shack in Bridgehampton. The door had been nailed shut to keep out the cold. The owner previously had been served with 31 violation notices. None had been prosecuted.

Soon afterward, a crew leader in Cutchogue disconnected a fuel line to a "bullpen"—the place where workers live—to force five sick men out of bed and into the fields. He collected 60 cents per man for each day they worked and he wanted no fooling around. All day the sick men huddled shivering in their bunks. Three died.

The often illiterate migrants averaged $47 a week. But before they even started work, they owed the crew leader $30 for the bus trip to Long Island, $5 for use of a blanket, $16 a week for meals, a fuel charge of $2, and bus fare to and from the fields cost $1.25. The crewleader took 15 cents from each dollar earned by the worker. All deductions made in advance.

Then, in February, 1968, a documentary called "What Harvest for the Reaper?" was shown on National Educational Television.

Graphically depicting the conditions existing in a migrant camp in Cutchogue it revealed how migrants were recruited with promises of good wages and living conditions and then were systematically cheated by an implicit understanding between the crew leaders and the indifferent farmers.

The resulting shock waves brought extensive newspaper attention, and finally, action by the Legislature. Living standards were improved, health regulations tightened and, at the last session, a $1.40 minimum wage established.

The Rev. Mr. Bryant, however, notes that 12 bills aimed at improving migrant worker conditions died in committee this year.

But the farmers and dealers became incensed and bitterly attacked the news media, Bryant and other "do-gooders" for causing all the trouble. They even formed a "Truth Squad" to correct what they felt were "distortions" in the migrant story.

Because of his activities on behalf of the migrants, Bryant, who is pastor of St. Peter's Lutheran Church in Greenport, has been singled out as the target for much of the farmer's anger. A petition seeking to block his reappointment to the Human Relations Commission was sent to the county Board of Supervisors.

Herbert Cassidy, a dealer who will not allow Bryant on his property, said, "Conditions were never as bad as the press has claimed. We always had good camps and always paid good wages. Ninety-nine per cent of what's been written is not true."

Indeed, two migrants working for Cassidy said they were satisfied with their jobs and one said he had made $98 the week before.

The mistrust of "outsiders," "do-gooders" and newsmen especially is still quite evident. Cassidy refused to permit any pictures to be taken and at one point threatened to smash a photographer's camera.

Even Richard J. Carey, a manager of the Lipco-Agway Co., which is headquartered in Syracuse and has offices scattered from New England to Maryland, wanted only "favorable" pictures taken at the Agway camps.

He explained the reason for the "no tresspassing" signs as basically a protection for the workers against and "undesirable" intruders.

"We don't like people going in and out. It's not a priivlege to enter private property without permission," he said.

Carey said, however, that his company has "cooperated in every way with the Health Department and the sanitary facilities are above standard."

Asked if the migrants were restricted from leaving the camps, Carey said: "That's a stupid question. They are not restricted in any way."

It was noted that the barbed wire fence at the Cutchogue camp ran by the Eastern Suffolk Cooperative Association, made infamous by the television documentary, has been cut down.

Agway and other companies have abolished the crew leader system and have entered the direct to hire workers. At Agway, the crew leader is now simply another company employee.

Arthur Penny, executive secretary of the Long Island Marketing Association, a cooperative which represents 20 to 30 packing and shipping firms in the area, pointed out several recent improvements made in the camps.

He cited the elimination of "down-time"—the practice of not paying migrants for the time a machine is inoperative because of mechanical failure—as a significant step forward.

The association, he said, has also moved to improve shipment schedules to insure that the workers are kept busy throughout the day.

"There is a constant effort to upgrade the camps," he said. "They may not be villas on the seashore but they are far better than the average found in other states."

But Penny admitted that much of the improvement in the camps is a result of the publicity generated by Bryant and others. Whether these improvements would eventually have been made anyway is open to debate but unquestionably Bryant's constant needling has speeded the process.

Senator MONDALE. Our next witness is Mr. Juarez, of Okeechobee, Fla.

Mr. Juarez, you may proceed.

STATEMENT OF RUDOLFO JUAREZ, OF OKEECHOBEE, FLA.

Mr. JUAREZ. Mr. Chairman, members of the subcommittee, I have prepared a statement that I would like to present to you. This statement is based on what I myself lived through since I was old enough to work and became a migrant at the age of 5. Based on my experience and how I continue to see the way my people suffer, in this statement I would like to express my feelings, as well as my opinions, and the feeling and opinions of others that I have worked with side by side in the fields.

Of all the groups living in poverty, the migrant farmworker and his family in general suffer the greatest socioeconomic deprivation. The migrant farmworker and his family travels throughout the Nation, living from day to day, depending upon his luck that the crops are good and that nothing happens, for instance, while he travels on the road.

Him and his family will eat as little and as cheap as he can, for he has very little money to get there. If his car breaks down, the mechanics overcharge him as much as they feel they can get away with. Because of bad weather and the time that laps between each crop, it is impossible for him to save any money—plus the high cost of living, plus the excessive amount of rent that he has to pay for the rat and roach infested pigpen that him and his family are forced to live in while he lives in Florida.

So when crops are over in the State of Florida, there is no way that he can continue to survive, so he migrates. And because of that the migrant farmworkers have had great difficulties in their employment relationships, much of this arising out of exploitation and abuse by irresponsible farmers and crew leaders who sometimes underpay them, short count them, and overcharge them for transportation. Crew leaders on occasions, collect wages from the employers and then abandon the workers without paying them.

His mobility deprives the migrant of many of the basic social services that are available to the local poor such as welfare, medical coverage and care, vocational rehabilitation, and day care for children. More than often his housing does not meet code standards.

Our children are pulled out of schools so that they may help provide for the family in the fields or at home taking care of smaller children so that mothers can work. On many occasions our children have been burned to death while our oldest child, varying in age from 8 to 12, tries to cook for his younger brothers and sisters while the parents are out in the fields trying to make enough money to survive—buying foods, clothing, pay bills to vulture-type bill collectors, fast-talking salesmen from insurance companies who know that when work gets scarce the migrant farmworker will get behind on his payments and lose what money he has paid. But for the 7- or 8-month period of time or until he gets behind and the insurance is good and doesn't back out the same thing that happened to him and so many others might not happen again; for example, standing before a doctor or a nurse with a dying child in their arms begging, pleading, for them to do something for his child, wife, or her husband. Many children and parents have died while searching for a sympathetic doctor or hospital. And if they succeed, then the more reason why children should continue to stay out of school to help pay that big bill.

Our children suffer regardless of what you do. If he goes to school, often he goes without breakfast—and if you are able to find out about the free lunch program and was able to take the insults or had the courage to fight for it, and find someone to fill out the forms, then your child might get lunch. For there are very few schools who have people who will search for ways to help you and many persons who will search for as many ways possible to keep you from getting such services.

This is also true in some of the Federal and State local agencies. For we have a very discriminatory and humiliating welfare system and unconstitutional residency requirements for receiving welfare and health services. Some of those people, when not able to deprive us from such services on terms of residency, plainly tell us we have no right and that we don't belong—thus making most of my people mad, never to return.

What this system and our society is going to have to know and understand is that the migrant farmworker, even though tired, uneducated, hungry, and sick, have contributed and sacrificed just as much as anyone else and more than most to this Nation. We have cultivated this earth, planted and harvested all crops for generations in order to provide all the luxuries in food, clothing, and many other items that those of society which surrounds us enjoy today.

My people, the migrants in general, composed of all types of Americans, regardless of race, color, or religion, our fathers, our sons, our kin, have died in wars fighting for the security and peace of this Nation as well as in the fields while harvesting the crops because of irresponsible farmers and their insecticides sprayed in the fields.

Gentlemen, bad working conditions and low wages for generations have maintained a slave labor system which insures that the migrant farmworker's children will have to live the same way he did and will continue to be slaves to agriculture and business.

Hunger, malnutrition, sickness, and lack of education will continue to exist. Our children will continue to suffer because children cannot study if they are hungry, always ill, and trying to do homework in hot and crowded shacks. And our men today will continue to lack the initiative and power because a hungry man with children who are sick and suffering from malnutrition, who must be constantly struggling to live and keep his family alive will soon tire and if he continues to seek assistance in the traditional government-processed way, and makes no headway, God knows how long he will be patient in his struggle to get his children out of the cycle of poverty that this system, through discriminatory legislation, has kept.

Mr. Chairman, members of this subcommittee, of all things I have said I hope you have paid attention. With all my heart I have presented some of the problems that have existed since past generations and continue to exist to this day. I have lived them, experienced them, and suffered them. This is not hearsay.

I am sure that others have told you the same things I have spoke about. Some of you have seen them with your own eyes. We have no reason to lie for we have nothing to lose for we have never had anything.

Those who have spoken against us, have because of profits, others for their own personal gain, some have, because they, too, suffer and really don't understand who is to blame and because they misinterpret our needs to charity they tend to be against us.

But more and more people are joining together and soon there will be enough people to keep men in power who will make, pass, and enforce laws that will be fair and equal to all Americans, just as there will be enough people to bring down those in power who are favorable to one group only because of personal gain.

Therefore, discriminatory legislation practices should continue no more. The migrant worker should be covered by the National Labor Relations Act with additional favorable rights as well as workman's compensation laws, unemployment compensation, insurance laws, social security codes must be enforced to improve the conditions of housing provided to him. Programs such as housing loans, small business loans which the migrant has never heard about until others who have recently come into this Nation.

Let's stop worrying about other nations and do something about our own. Do something about the migrant so he can pull himself out of this repeating cycle.

The men who are in power must fight hard to make real changes in society and society's laws. Change all discriminatory laws and attitudes. The men who are in power must help the powerless to gain power and all rights entitled to him. Bad programs of the establishment must be eliminated for good programs. Those which dispute the powers that be and fight for the poor must be maintained and encouraged in their activities.

If the poor are not given extra encouragement and help in gaining power over their own lives and influence into the general society in order to eliminate poverty; if the governments, local and national, do not respond to the real needs of the poor through traditional processes, the poor will find other ways to make their needs known and to gain power.

Senator MONDALE. Thank you very much, Mr. Juarez.

Senator Bellmon?

Senator BELLMON. Mr. Juarez, you have been a migrant all your life?

Mr. JUAREZ. Yes, sir.

Senator BELLMON. Do you live in Florida?

Mr. JUAREZ. Yes, sir.

Senator BELLMON. And you mentioned that when the crops are harvested there, you go to other States to work.

Mr. JUAREZ. Yes, sir.

Senator BELLMON. Which other States have you visited?

Mr. JUAREZ. The States that I have migrated through, I originally came from Texas. When I was 5 years old that is when along with 17 other families we were sold to the sugar beet factories in the State of Ohio, and we haven't been able to make it back.

The States that we have traveled through since then has been Arkansas, Missouri, Tennessee, Ohio.

Senator BELLMON. Are these States where you have worked or where you have traveled? Have you worked in all of these States?

Mr. JUAREZ. Yes, sir.

Senator BELLMON. You mentioned you were sold to a sugar beet company?

Mr. JUAREZ. Yes, sir.

Senator BELLMON. How? Can you explain?

Mr. JUAREZ. Well, through our crew leader, through a person who had a truck who recruited labor who found out that the sugar beet company in Ohio happened to be in need of labor and so he just went around and since he was known to most of the people there, even to my father, these families were talked into coming to Ohio where the word that he gave was you can sweep money with a broom.

So this is the way we were sold in the State of Ohio. I remember that it was a little town called Metamora, Ohio. From there, because of the rains we didn't get to even know what the sugar beets looked like. Then I didn't even know what sugar beets were. But we were kept there anyway because the man who brought us there just brought us there for what he got and he returned. We never seen him no more.

Senator BELLMON. So you were left in Ohio and it was raining and you weren't able to work in the sugar beets, right?

Mr. JUAREZ. Yes, and we created a big debt. My father and all the rest of the families got in real bad debt. They split up the families, the company did, and found other various jobs so that they could pay for the food that they had eaten, my father. And my cousin, which was the oldest one in our family, was the one who worked along with him.

The job that they got was the railroad company, railroad tracks, working on the railroad. After he paid, after they paid the debt and we were able to make enough money to try to return to Texas, we only made it as far as Osceola, Ark., because while we were there waiting to transfer on the bus, one of my sisters was very sick and then we met another Mexican-American fellow there that told us about the good cotton that was being raised there and we had picked cotton before.

So therefore we decided to end our journey there and maybe try to make a little more money and give my sister a chance to get well. So that is where we stopped and then from Arkansas then we traveled into Missouri and from Arkansas and Missouri we started migrating into Durand, Wis., to work with the pea vineries.

The only reason we went to Wisconsin was because when I was about, 1 year, there was 1 year, way after we had already started migrating back into Ohio to pick tomatoes and Indiana to pick tomatoes and Michigan to pick cherries. When we went to Duran, it was because I stowed away in a crew leader's truck and I ran away from home. I was 12 years then. I was able after being tested by the foreman to prove my ability to do the job.

I was given a job and was able to save about $200 to bring back to my father and thus told him about the good work over there. Then we started going into Wisconsin.

Senator BELLMON. Mr. Juarez, you mentioned then when you were 12 you became a full-fledged worker on your own, is this right?

Mr. JUAREZ. No, I was working in the fields. I became a migrant when I was 5 and then actually I was about 6 years old when I was working in the fields because that is when we started picking cotton, pulling cotton, chopping cotton.

Senator BELLMON. Do you still make your living as a migrant?

Mr. JUAREZ. No, sir. I don't. My wife still works out in the field, yes.

Senator BELLMON. What sort of work do you do now?

Mr. JUAREZ. Well, now I am employed by the South Florida Migrant Legal Services. I was lucky enough to get a job there after trying for about 2 weeks without working in the fields so that I could go over and try to get a job because it has been my ambition to get out of the migratory road because I don't want my children to live the life I did.

Senator BELLMON. Can you tell the subcommittee why migrant workers continue this kind of a life? Why don't they all get out of it?

Mr. JUAREZ. Why don't they all get out?

Senator BELLMON. Yes.

Mr. JUAREZ. Power.

Senator BELLMON. Is this the reason they stay and can't get out?

Mr. JUAREZ. Well, for some it is possible sometimes, but on very few occasions it is possible. For example, the only reason I was able to get out of that system and happened to decide to stay in Florida was because there is a longer period of time where there is work available over there and if I stayed there was only about 3 to 4 months where there wouldn't be no work, and usually when a migrant tries to stay in one place or he wants to quit the migrant stream, there is a lot of questions that trouble to your mind.

For example: Am I going to be able to do this job that I am able to get? If I am not able, they will probably fire me. If they fire me, how am I going to pay my rent? I don't know anybody here. Who is going to help me? Who is going to lend me any money? Nobody trusts me because I don't have anything to put as collateral.

Thus these questions go in your mind and a lot of them try. They will try for 3 and 4 years, continue to try each time in a place where it might look favorable to them where they see that there might be a job that they might be capable to do. But then there are doubts and, not knowing anyone in the community and then going into town and you get looks, people look at you with a question in their face like, what is this person doing here, where did he come from? Or the police is liable to pick you up for vagrancy if you are just standing out there trying to find a job or be friendly with anyone.

If you happen to be broke or are trying to find a friend, the police just picks you up and charges you for vagrancy, and you don't have any money to hire an attorney. It's a problem.

Senator BELLMON. Your feeling is that most migrants feel helpless and as if they are sort of trapped in the sort of lives they live, is this right?

Mr. JUAREZ. Yes. Yes; that is true.

Senator BELLMON. They would prefer other types of employment if they felt they could get it?

Mr. JUAREZ. The majority of them, every one of them I believe would like to do something different, you know. Some of them would like to continue and work, you know, but with a decent wage, with a decent wage.

For example, a year back, a year ago or some time ago, we heard that somebody was going to try to provide a center where the migrants could stop and rest along the way while they traveled. This really raised their hopes because, while they travel on the roads, there is no place to stay, there is no place to stop. I have never lived in or slept in the hotel until September 11, 1967.

Senator BELLMON. Was this September 1967 when you quit the migrant work?

Mr. JUAREZ. No, I just happened to be with a good friend of mine who had money to pay for my room.

Senator BELLMON. How long since you have been a migrant worker?

Mr. JUAREZ. How long has it been since I what?

Senator BELLMON. How long has it been since you got your present job and quit being a migrant worker?

Mr. JUAREZ. About a year and a half.

Senator BELLMON. Let me ask one other question. Do you notice that conditions for migrant workers have changed in the years you have followed this type of employment? Have they become better or worse or stayed the same?

Mr. JUAREZ. They have become worse because there is no change. I have seen very little. In fact in Florida I haven't seen camps, you know that should have gone up or been constructed up a long time ago. I have seen one or two, but the others continue to exist and that is getting older every year. The people are still living in them.

Senator BELLMON. That is all, Mr. Chairman.

Senator MONDALE. Thank you, Senator Bellmon. I thought those were excellent questions.

Mr. Juarez, have you ever tried as a migrant either alone or with others to talk to your employers and try to get the salaries up, the wages up, or other working conditions corrected?

Mr. JUAREZ. Yes; a lot of times.

Senator MONDALE. What has your experience been?

Mr. JUAREZ. They have one answer right away, "If you don't like it, you know where you came from." And you can't very well try to get anybody else to protest or protest yourself because you will be thrown out and if you don't have any money, where are you going to go, and then they consider you a troublemaker. So its very bad, you know, for that. It creates a bad feeling because then they can usually pay somebody else even in the group, for example, to deal with you in many ways.

Senator MONDALE. In your years as a migrant you haven't found, even though you have tried, evidence that there is power among the migrant workers themselves, at least the way it is now, to correct your own conditions through improved pay or improved working conditions? That has not been your experience?

Mr. JUAREZ. No.

Senator MONDALE. What about political power of the migrant worker? I assume that it is obvious that when you are on the road and in communities in which you don't reside, you don't have any political power. You don't vote there. You are not going to be there to vote in future years, and they all know it.

Mr. JUAREZ. You don't have any political power anywhere.

Senator MONDALE. What about the place where you stay between crops and over the winter? I think you said you live in Florida. What about the counties and communities in which you reside? Don't you have large numbers of Mexican-Americans or migrants with other backgrounds who can join together and try to gain some political power?

Mr. JUAREZ. No. Even the police, you know, the experience that the migrant has had with the police is something terrible. He can't trust a police officer. If he sees a uniform he can't trust it because the police has had a way with people who don't belong in that community or who are not from there because as soon as something happens, then those people did it, since they come here it has happened, and usually, you know, like other people may get the benefit of a knock on the door, the the migrant gets his door knocked down or opened even at night at 11 or 12 o'clock if they happen to be looking for somebody, they just go over and break the door down and shine the light on people that are sleeping on the floor because there is only room in that, only space enough in that room to put a bed or two and you don't have enough bedding for all of them in that room.

Senator MONDALE. Take that situation in, say, Collier County. What is your home county?

Mr. JUAREZ. Okeechobee.

Senator MONDALE. There are a lot of migrants and farmworkers in Okeechobee, are there not?

Mr. JUAREZ. Yes.

Senator MONDALE. Suppose the local police do that and they have one system of law enforcement for the powerful in the community and another for the farmworkers of the kind that you are discussing. Can't you seek a political remedy, in other words, get a new mayor or new county board?

Mr. JUAREZ. How? Who is going to believe you anyway? There are people in here doubting it, you know. I should feel hate, you know, because I can sense people in this room, you know, because I have been sensing it all my life and I have been trained to that, and I should feel hate, you know, but I don't. I pity them, you know, because they are only sick people.

In my way of feeling they are sick in their mind, and they are the ones who are causing this Nation to be in such bad conditions, to be falling apart.

Senator MONDALE. Now, in the normal community if there is a law enforcement officer that is dealing unfairly with people or a county board that is discriminating, the people might respond by defeating him in the next election.

Yet when I was down in Collier County, the chairman of the county board said, "These aren't our people. They are Federal people. We don't have anything to do with them."

Mr. JUAREZ. That is the attitude, you know.

Senator MONDALE. Yet, there were 22,000 farmworkers in that county. What struck me is why could so many live there and yet be dealt with that way? What has happened to the political process in those communities? Why can't they get away with that? I was shocked by that. Can you give us any explanation of that?

Mr. JUAREZ. I don't know. You can't seem to find, there are very few people—well, now, you know now there are people if you happen—like myself, for example, now I am registered to vote and now we are going out and getting people registered, and we plan to register some more and this is what I mean about soon there will be enough of them.

Senator MONDALE. Do you find that at least at the present time there is only a small percentage of the farmworkers that are registered?

Mr. JUAREZ. Yes, and also even when they go to vote a lot of them don't know, even I now don't know how to read or how to find my way to vote in that machine or whatever you call it.

Senator MONDALE. A lot of them are afraid of the machine. They just don't know how to use it.

Mr. JUAREZ. Yes, and then another thing is that the crew leader, for example, he is considered the man who is the leader, the man with the power by the power structure in the community, and he is often given cases of whiskey, beer, wine, to distribute among the migrants, or money to get him to bring those people that are working for him out in the fields and thus he brings this whole crew and if they happen to be in debt with him, you know, they are just forced to vote whoever he recommends and since the people don't know actually who to vote for because they haven't met this person that they are voting for in the first place, they haven't heard him speak, they don't know how he feels on this or that, so they just go to vote and vote for whoever this crew leader recommends.

Now it is getting a little better because you see the farmer believes that the only way that he can get labor is through the contractor or the crew leader. It is not true anymore. The only reason that they still continue to be this way is because the contractor or the crew leader is already there by the time the people get there. The people travel in cars, pickups or any way they can to get there to work, and they still believe you know that that is the only way that they can get labor, but it is not true.

Thus they still believe that the crew leader and the contractor still has the power. He doesn't have it anymore.

Senator MONDALE. I noticed that there were a good number of Mexican-Americans who had come from Texas who lived in Florida. Many of them had left. You went around, but you finally got to Florida. Collier and Lee Counties are the two places where we saw thousands of Mexican-Americans when we went with the Hunger Committee. Why do they go to Florida?

Mr. JUAREZ. Well, you see the cycle of crops are not always in the same months of time. There is even a cycle of crops in the State of Florida and each group, even though there are very many migrants to this day, follows, each group specializes in certain crops. For example, those who like tomatoes will follow tomatoes until there is no more tomatoes. Then they will do something else.

Then they will come to pick cherries. So they can pick tomatoes in Ohio and Indiana. In Texas because of the floods, because of bad weather and the hurricanes that passed over, their crops have been bad, and a lot of the people there know that there is work to be done in Florida. So therefore they migrate into the State of Florida.

Senator MONDALE. Could it be that the rather free supply of unskilled poor farm workers from Mexico who freely cross the border into Texas and California encourages Mexican-Americans who live along the border to live somewhere else where they might not be as fully exposed to competitive labor?

Mr. JUAREZ. That is right. There are so many of them coming across and because the farmers continue to gripe about shortage of labor and then they are talked into that.

For example, I know one man in Florida who was paid for to go all the way into Mexico to try to encourage or to find ways to bring the Mexicans from Mexico even all the way up to Florida.

Senator MONDALE. In Florida about 2,500 workers come in from the British West Indies to work in sugar cane. Now I am told that they are bringing in 2,000 from the British West Indies for citrus this year. What impact will that have?

Mr. Juarez. I guess they are trying to starve us. I guess they are trying to do away with us, like the man said, do away with the headache, because we find it awful hard to even find enough jobs for the people that are already there. If they bring in more people, I am scared to think.

Mr. Mittelman. Mr. Juarez, with reference to the present situation in Florida, I have seen some reports indicating that there is a terrific shortage of workers down there right at the present time for the citrus crop and that the wage rates have gone up to as high as $3.50 and $4 an hour. Do you have any firsthand information concerning that situation?

Mr. Juarez. I didn't understand that, sir.

Mr. Mittelman. The reports that I have seen indicate that there is a shortage of workers available for the citrus harvest in Florida at the present time and that wage rates have gone up to as high as $3.50 and $4 per hour working in the harvest in Florida right now. Do you know anything about that?

Mr. Juarez. No, sir. You know, even the farmers complain that there is a shortage of labor, but I don't know where you get these reports. Do you get them on the local newspapers or from the local radio stations or from the local employment office, because if you do, then they must be sending them special delivery to you because the people never hear them.

Mr. Mittelman. I believe there have been one or two articles in the press about them, and we have gotten some mail concerning the situation in which those allegations have been made. I haven't had a chance to verify that and I am just asking you if you have any firsthand information about what the situation is right now down in Florida?

Mr. Juarez. I don't think there is a shortage of labor because we have uncles and cousins and all kinds of kin throughout Wauchula, and Orlando, and all through there, and we visit them two weekends and they don't claim that there is a shortage of labor.

Mr. Mittelman. Thank you.

Senator Mondale. Thank you, Mr. Juarez, for very eloquent testimony. It is most helpful to us. I think it is ironic that so often we select the spokesman for migrants when migrants like yourself can do an awful lot better. You not only know it; you live it.

Mr. Juarez. I only wish, Mr. Chairman, that my people had enough money to come here and tell you.

Senator Mondale. That is right, because when we heard from your people in Immokalee where they could afford to be there, I think they told it very clearly.

Thank you very much, Mr. Juarez.

Senator Mondale. Our last witness this morning is Mrs. Ed. Krueger, of Pharr, Tex.

Will you come to the witness stand, please.

We claim Mrs. Krueger in Minnesota. She and her husband, the Rev. Ed Krueger, served in our State for some time. Thus, as is true of everyone, we have a special genius and talent. Mrs. Krueger, will you begin.

STATEMENT OF MRS. ESTHER GUEVARA KRUEGER, OF PHARR, TEX.

Mrs. KRUGER. Thank you.

Mr. Chairman and members of this subcommittee: My name is Esther Guevara Krueger. I am usually called Tina. I live at 807 East Tarrant in Pharr, Tex.

I thought I had lived a sheltered life until after my father's death when I read his diary. It revealed that we had gone hungry many times. Although my father was a minister, he had had no formal education. The $30 he was earning a month in 1935 was not enough to feed a family of 11, so he supplemented the income by picking cotton.

Our life improved 7 years later when my brothers joined the U.S. armed service and they sent money home. One brother served in 1942 in the Aleutian Islands, one served in Germany and lost a leg; still another served in Korea. Now I have a son serving our country in the U.S. Navy. I am proud that although I have known anguish because my brothers were in the front lines and that now I worry about my son, we have done our part in protecting our country and its citizens.

Nevertheless I wonder sometimes why some of us, especially the migrant, are not fully accepted and why they are not treated equally by some of our citizens. The majority of my people work as migrants even though many of the young people are high school graduates and even college graduates; they have to migrate for lack of work. In south Texas where I have lived since 1966, I have been working with families that migrate every year. The experiences that they relate are heartbreaking. I honestly cannot understand how they can maintain their honor, dignity, and serenity.

Families have told me of being contracted by recruiters such as for the Great Western Inc., and Utah and Idaho, and being misled in the long run. These families go in hopes of earning enough money to live on when they return home for the winter, yet some of my friends have told me that they have lived as cattle, in unsanitary conditions. They travel as cattle and they feel that some growers treat them like animals. I ask, "Is this fair?" What would you do if you were in the workers' place? I had often asked myself this question and believe me I wondered what it would be like to have similar problems.

My opportunity came only a few weeks ago. I have been unemployed for more than a year for I was fired from my position as a day care center director funded by the Office of Economic Opportunity because the day care committee felt that they did not want a director who had been arrested and jailed. Actually, I had been an innocent bystander observing what was going on the night the Texas Rangers arrested about 16 people on May 26, 1967. When I saw Captain Allee and Ranger Jack Van Cleave and other rangers mistreat and manhandle my husband, I took a picture and Captain Allee had me arrested.

My dismissal was purely political. Since March 11, 1968, I have not worked but I have done volunteer work, helping my husband in his work. So when several families invited me to join their group, I accepted because I felt that this would be my opportunity to witness some of the allegations migrant families made.

On April 30, 1969, the Ruiz family and I enlisted with Mr. Frank Pena, recruiter for the Great Western Sugar Co. which recruits sugar beet workers for the States of Colorado, Wyoming, Nebraska, Montana, and Kansas. At that time he said that we would be assigned to Goodland, Kans.

Then on May 23, 1969, he assigned us to Bayard, Nebr., and gave us an allowance of $16 per worker. On Memorial Day, May 30, 1969, a crew of 22 started at 11:30 a.m. and drove all day. At 10:30 p.m. we slept in a rest area. Next morning we proceeded to our destination.

We arrived in Fort Collins and immediately looked up another family. Mr. Marcos Lopez offered us his home for the night. We slept on the floor. Marcos Lopez took the other Lopez family from the group of 22 to his father's home. Next morning we drove to Bayard, Nebr., where we were supposed to go and be assigned to a grower.

We arrived there at 2:30 p.m. There were three or four families already there waiting to be assigned to a grower. One family from Weslaco had been waiting since Wednesday, May 28, 1969, and about an hour after we had arrived a man who I presumed was a grower, came and took them.

Before we went into the building, we talked to the families and were told that some of them had been waiting for several days; and one wife told me her husband was inside reimbursing the company.

We went in and saw the man, Mr. Samuel Chaercz from Crystal City giving some money. The general manager came and we introduced ourselves. He said he was very sorry but that he had bad news for us, that he thought he could not find housing for us. He told us that we were not the only ones who he was turning back to Texas—that there were others whom he had sent "back home" already. But he said that if we waited a while he might find something.

We told him we had families with babies and small children and that we were not about to spend the day and night outside their building for 2 or more days like the families who were waiting outside. Also that if they were to send us back that we would not reimburse the company like Mr. Samuel Chaercz had done. Mr. Chaercz later explained to us that he was reimbursing the company because the company had his truck title to his big truck.

I asked him why he was leaving and he said that he had been assigned to a grower, a Mr. John Fastler, and that he had asked Mr. Fastler for a water container. Mr. Fastler replied that he would not give him one until he saw what work he could produce. Mr. Chaercz said that he felt that if Mr. Fastler was not concerned about his—Mr. Chaercz—needs, he would not work for such an inhuman person who did not care if his family drank water or not.

When Mr. Chaercz reported this to the company, the manager, Mr. Giuaque, told him to go back home. Mr. Chaercz paid and got his title back and drove away in his old, battered truck. He thought he could get to Minnesota to work there.

After Mr. Chaercz left, we again talked to the manager, Mr. Giuaque, and he told us that he had housing available but that they were reserved for 50 hands who were coming in later. I asked him when these people had been enlisted, and he said that they had been enlisted on May 29, 1969. I asked him why was it that these workers were being assured of housing if they were recruited nearly a month later than we were. Mr. Giuaque did not answer me.

He said that he would try to be reasonable and see that we were helped to go back to Texas, that he knew that it was not our fault and that he realized that we were being unlucky. I asked him to sign a statement to the effect that we had been there to report for work, but that he had turned us back. He said he would if we would settle for the amount of the original allowance, that of $16 per worker.

I told him that as far as I was concerned, I would not accept the $38 he offered me because after all I had come 1,555 miles to work in the beet fields and earn money, that the recruiter had assured us we would have work. I felt that we could have worked and earned money to tide us over for the time being and that it was only fair for him to give us a reasonable allowance for gas, food, and lodging.

Mr. Guiaque said that why were we asking for lodging: I told him that we were very tired of being on the road and sleeping in cars, out in the open or in empty dirty old houses and that I desired to sleep in a clean bed and have a shower. I bluntly told him I had not had a bath since the morning that I had left home and that had been 4 days before.

I casually mentioned that there were rules and regulations which protected the migrant worker. He replied that he knew of no such rules and had the gall to tell me that when he and his family went on trips he did not have to stop to rest, that they could go on and on.

I told him the difference was that they went as tourists and were not poor, tired, hungry and hopeless, whereas we were all the opposite. He only answered that they were not obligated with the exception of maybe the allowance. When I told him that I definitely would not accept the measly amount of money, he refused to give me the letter in which he stated we had been there. I immediately went to a notary public and notarized a statement, a statement which I wish to submit for the record.

Senator MONDALE. That will be included at this point in the record.

Mrs. KRUEGER. Here it is.

(The information referred to follows:)

June 2, 1969

To Whom It May Concern:

My name is Esther Krueger, and I live at 807 E. Tarrant in Pharr, Texas.

I was contacted by Mr. Frank Pena, Contractor for the Great Western Agency, Inc., recrutor for the States of Colorado, Nebraska, Montana, Wyoming & Kansas. I was instructed to come to Bayard, Nebraska where upon I would be given employement.

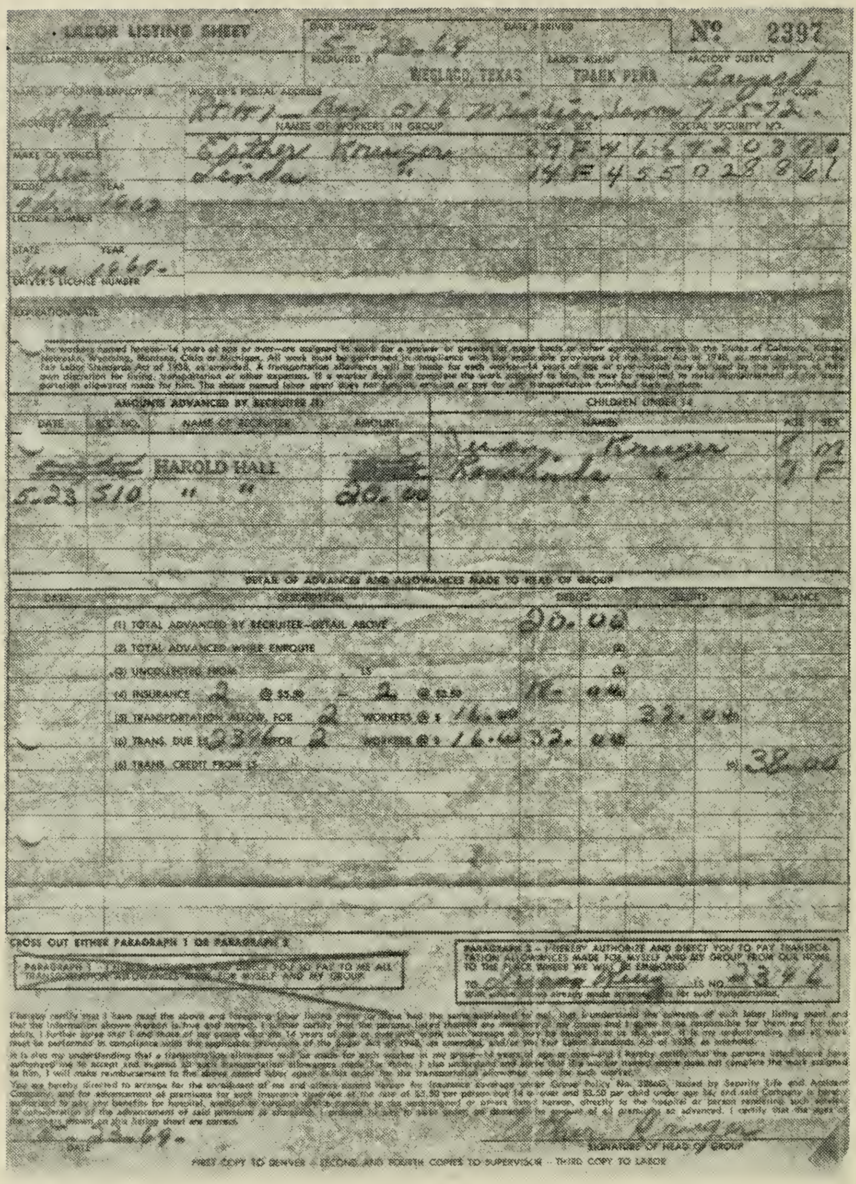
On this day I appeared in person in the Great Western Agency, Inc., Bayard, Nebraska, and I was told that there was no housing available, therefore we could not stay. I asked Mr. Lowell E. Giauque for .06¢ milage (we ~~xxxx~~ traveled 1500 miles) plus $50.00 for food and lodging. He refused saying I would be granted only $38.00. I refused to accept it because I feel that it was not my fault there is not enough housing, also that I cannot make it home on $38.00.

Respectfully yours,

Esther Krueger
Esther Krueger

The above Esther Krueger signed the above in my presence this 2nd day of June, 1969

Roger L. Deal
Notary Public
My commission expires 1/1/73



LABOR LISTING SHEET

DATE SIGNED 5-23-69

DATE ARRIVED

Nº 2397

MISCELLANEOUS PAPERS ATTACHED

RECRUITED AT WESLACO, TEXAS

LABOR AGENT FRANK PEÑA

FACTORY DISTRICT Bayard

NAME OF GROWER-EMPLOYER

WORKER'S POSTAL ADDRESS Rt #1 - Box 516 Mission Texas

ZIP CODE 78572.

NAMES OF WORKERS IN GROUP	AGE	SEX	SOCIAL SECURITY NO.
Esther Krueger	29	F	466420398
Linda "	14	F	455028841

MAKE OF VEHICLE Chev

MODEL 4 dr YEAR 1962

LICENSE NUMBER

STATE Texas YEAR 1969.

DRIVER'S LICENSE NUMBER

EXPIRATION DATE

AMOUNTS ADVANCED BY RECRUITER (1)

DATE	REC. NO.	NAME OF RECRUITER	AMOUNT
~~[illegible]~~		HAROLD HALL	[illegible]
5-23	510	" "	20.00

CHILDREN UNDER 14

NAMES	AGE	SEX
Juan Krueger	8	M
Rosalinda "	7	F

DETAIL OF ADVANCES AND ALLOWANCES MADE TO HEAD OF GROUP

DATE	DESCRIPTION	DEBITS	CREDITS	BALANCE
	(1) TOTAL ADVANCED BY RECRUITER—DETAIL ABOVE	20.00		
	(2) TOTAL ADVANCED WHILE ENROUTE	(2)		
	(3) UNCOLLECTED FROM #	(3)		
	(4) INSURANCE 2 @ $5.00 — 2 @ $3.00	16.00		
	(5) TRANSPORTATION ALLOW. FOR 2 WORKERS @ $ 16.00		32.00	
	(6) TRANS. DUE # 2396 FOR 2 WORKERS @ $ 16.00	32.00		
	(6) TRANS. CREDIT FROM #			(6) 38.00

CROSS OUT EITHER PARAGRAPH 1 OR PARAGRAPH 2

~~PARAGRAPH 1 — I HEREBY AUTHORIZE AND DIRECT YOU TO PAY TO ME ALL TRANSPORTATION ALLOWANCES MADE FOR MYSELF AND MY GROUP~~

PARAGRAPH 2 — I HEREBY AUTHORIZE AND DIRECT YOU TO PAY TRANSPORTATION ALLOWANCES MADE FOR MYSELF AND MY GROUP FROM OUR HOME TO THE PLACE WHERE WE WILL BE EMPLOYED.

TO Arnoldo Kuij IS NO. 2396

WITH WHOM I HAVE ALREADY MADE ARRANGEMENTS FOR SUCH TRANSPORTATION.

5-23-69.

DATE

Esther Krueger

SIGNATURE OF HEAD OF GROUP

FIRST COPY TO DENVER — SECOND AND FOURTH COPIES TO SUPERVISOR — THIRD COPY TO LABOR

Mrs. Krueger. We left Bayard, Nebr., at 7:30 p.m., and we were so worried that we got lost and traveled 12 hours, whereas our trip up to Bayard had been 3½ hours. After the 12-hour drive, we decided to chip in money and try to get a hotel where all families could rest. Finally, after many inquiries in hotels, one manager took pity on us and let us have four rooms. I slept with 11 children in my room, but it was well worth it. We all had hot baths and felt decent and human and a lot more like dealing with the harsh problems which lay ahead.

Next morning we left for Boulder, Colo., but could not find work: we had a meeting and decided to travel to Michigan. We traveled through Kansas, Illinois, Indiana, and on through part of Michigan. We arrived in Muskegon, Mich., and there we left our children in the care of friends who have permanently settled down. We went to the Michigan Farm Employment Commission in Keeler, Mich., and applied for work. Although I made it plain to the interviewer that in my family there were only two workers, myself and a teenage daughter, that I had two 6-year-olds, they put my two 6-year-olds as workers.

The housing conditions are horrible. There are beds (boards made into bunk beds), one small table, a two-burner gas stove, and broken-down tables, and a chest of drawers. One high window and no showers in the camp. Actually I saw only two places which were new and had showers and water toilets. All the others are places that are not fit for human beings. As a matter of fact, sometimes growers in other areas use the same housing facilities used for migrants in the winter to house their cattle and then when the families come they have to get a hose and wash out the filth.

I was approached by a group to see about the possibility of setting up day care services for migrant children. When I surveyed the area in Keeler, I saw the desire and need for such services and I immediately looked for a location. I found a big hall that was being used for rummage sales. The irony of this particular situation is that I was told that the health inspector and fire chief would never approve a license for the place. Yet about a quarter of a mile down the road on all four directions there are huts that are used and licensed to accommodate migrant families.

I saw children running and playing in pools of muddy water. I hardly saw any toys. I know of children who have been left alone while the parents went to work and of the many accidents that have happened to them.

I remember a particular case in Oklahoma one cold, dreary day. The parents went to work and left the children in the care of a 9-year-old boy. The 9-year-old started to run, and as he ran across the room, he bumped into a small table where the stove was and knocked a pot full of hot beans over. He suffered 90 percent burns on his body. It was a sad sight to see the active little boy all bandaged and afterwards, after more than 7 weeks in the hospital, to see a once-beautiful face now all scarred.

I often think oft his little body and wonder what his attitude will be when he starts to think as to whom to blame for his accident. Will it be his parents? Is it fair for a child to blame his parents for something that could have been avoided? Will the child blame the grower? I certainly hope so, because I know that parents do not migrate just for the fun of it. They migrate because they have to, not by choice or chance. A case of just "have to" and it certainly seems to me that growers should be forced to provide decent wages and housing to these unfortunate people who are classified as migrants because had it not been for the migrants before the automatic picker machines came into existence, the economy of our country would not have been as great as it has been.

Before I close, I would like to plead for justice and equality for all the farmworkers. Here in our great United States of America where the banner of equal opportunity is flown, there certainly is no excuse for excluding some 1½ million hired farmworkers from the benefits of law enacted to help all other workers. After so many years of suffering for the migrant, give them an opportunity to uprate themselves and give their children hope—hope for a better tomorrow, hope for a bright future.

Senators, I have traveled more than 4,000 miles in 10 days; 3,200 miles have been in the migrant stream seeking work; the other 800 miles have been in hopes of seeking justice, equality and dignity for the migrant. This is my reason for having traveled 800 miles on my own, in my 1962 Chevrolet. To tell it "as it is" in hopes that you can do something about the injustices that have existed for so many years. Thank you.

Senator MONDALE. Thank you, Mrs. Krueger, for a very useful statement because it puts another dimension on this problem that we have not yet explored, namely, that the migrant travels when he is desperately poor, and it is at his own expense that he bears the cost and the burden of finding employment.

Mrs. KREUGER. Right.

Senator MONDALE. He will often be told there is employment at a certain point, arrive, and find that there is no job.

Mrs. KREUGER. Right.

Senator MONDALE. Or he will arrive having been told of certain kinds of conditions and find they don't exist, but it is all at his expense. Would you say that migrants have had similar experiences to the one that you testified to?

Mrs. KREUGER. Oh, there has been many, many experiences to the one that I have just testified to. Coming back to protection of the migrant, there is no protection.

I have here a labor list that the recruiter calls a contract. Yet it does say down here:

> I hereby certify that I have read the above and foregoing labor listing, that I have had the same explained to me, that I understand the contents of such labor listing sheet and that the information shown thereon is true and correct. I further certify that the persons listed thereon are members of my group and I agree to be responsible for them and for their debts. I further agree that I and also my group who are 14 years of age or older will work such acreage as may be assigned to us this year. It is my understanding that all work must be performed in compliance with the Sugar Act of 1948, as amended, and under the Fair Labor Standards Act of 1938, as amended. It is also my understanding that our transportation allowance will be made for each worker in my group 14 years of age or over, and I hereby certify that the persons listed above have authorized me to accept and expend all such transportation allowances made for them. I also understand and agree that if a worker named above does not complete the work assigned to him, I will make reimbursement to the above-named labor agent or his order for the transportation allowance made for such worker.

> You are hereby directed to arrange for the enrollment of me and others named here for insurance coverage under group policy No. 3266G, issued by Security Life & Accident Co., and for reimbursement of premium for such insurance coverage at the rate of $5.50 per person age 14 or over and $3.50 per child under 14, and said company is authorized to pay benefits for hospital, medical or surgical services payable to the undersigned or others listed thereon. The record to the hospital or person rendering such consideration in consideration of the advancment of said premium as aforesaid I promise to pay to your order on demand the amount of all premiums so advanced. I certify to the ages of the workers shown on this listing sheet as correct.

Then the signature.

Senator MONDALE. Who signs that? Is this the crew chief or the employer?

Mrs. KRUEGER. The crew leader or if they are not under a crew leader, the individual.

Senator MONDALE. In other words, under that they make certain representations about the workers being over 14?

Mrs. KRUEGER. Right.

Senator MONDALE. And about paying the cost of getting them up there, and back, if employment is not available.

Mrs. KRUEGER. No. No. This is only a protection to have the group perform the work for the grower, and if they do not, then they protect the grower and the company because they make the families reimburse them what they have given them.

Senator MONDALE. So the agreement there is that the worker has to reimburse?

Mrs. KRUGER. Right and actually there is no protection for the migrant. It is protection for the agency and the grower. This binds them to the agency and to the grower. This is why Mr. Chaercz was paying the allowance that they had given him to get his title from them.

Senator MONDALE. He wouldn't get his truck back?

Mrs. KRUEGER. Or he could go in his truck and they could arrest him for having taken stolen property.

Senator MONDALE. Mrs. Krueger, were you part of a migrant family as a younger person? Did you go around the country with your family?

Mrs. KRUEGER. Well, as I said before, I was born in a Methodist cradle. My father was a Methodist minister. When I was 14 to 20, I did migrate with my brother.

Senator MONDALE. When you did that, did you have the same kind of experience then that you would go in somewhere and then not find work?

Mrs. KRUEGER. Well, the housing, yes, and the problems, but I happened to have a brother that is just as verbal as I am, and so there wasn't too much trouble. But this is the case that when the people are not verbal enough, the agencies and growers will take advantage of them.

Senator MONDALE. You work with the migrant workers along the Texas border, do you not, the Texas-Mexican border?

Mrs. KRUEGER. Yes.

Senator MONDALE. Is it your impression that most of them want to migrate?

Mrs. KRUEGER. No; they would like to settle down. But the problem there is that there is no industry, there is no work, and even the stores in town, the department stores pay only 50 cents an hour.

Senator MONDALE. You live in Pharr, Tex.? How far is that?

Mrs. KRUEGER. From McAllen?

Senator MONDALE. From Mexico.

Mrs. KRUEGER. Twelve miles.

Senator MONDALE. Twelve miles. Do the growers in that area and the department stores and banks and the other employers find it relatively easy to get Mexican labor from across the border?

Mrs. KRUEGER. Yes; very easy. As a matter of fact, some of them know for a fact that some of the Mexican workers are there illegally, but they will just close their eyes because they know that they can have cheap labor.

Senator MONDALE. So that would you say that that supply of labor is almost inexhaustible and employers can get all they want?

Mrs. KRUEGER. Right.

Senator MONDALE. Whatever the details of the present regulations, in fact they can get all the foreign labor they want?

Mrs. KRUEGER. Oh, yes; very much so.

Senator MONDALE. There is no problem there?

Mrs. KRUEGER. There is no problem there.

Senator MONDALE. Meanwhile the U.S. citizen, the Mexican-American, or the resident alien, have to live at U.S. standards.

Mrs. KRUEGER. Right.

Senator MONDALE. But he is exposed to the competition of people living in Mexican standards?

Mrs. KRUEGER. And he is forced to migrate.

Senator MONDALE. That is why he is forced to migrate, because there is not the employment that permits him to live or survive. So that he gets in his car and starts moving.

Mrs. KRUEGER. Right.

Senator MONDALE. What about the political power issue? Along these areas of southern Texas there are many Mexican-Americans, are there not?

Mrs. KRUEGER. Yes, there are.

Senator MONDALE. Why don't they do a better job of electing sympathetic people?

Mrs. KRUEGER. Well, for one thing I think down in the Valley there is, oh, I am not too good at figures, but I would say there would be about 80 percent Mexican-American population, but the thing is that we as Mexican descendants have feelings, pride, and a feeling of gratitude, and when some of our Mexican-Americans climb up the ladder, if they want to stay over there, they have to take orders from the higher power structure and just not heed the cries of the problems of the others.

Senator MONDALE. What you are saying is that a Mexican-American who makes it, so to speak, and starts getting a better job——

Mrs. KRUEGER. Right, and if he wants to stay there, he just better do what the power structure tells him.

Senator MONDALE. So that he is not likely to continue to be an ally of the poorer Mexican-American?

Mrs. KRUEGER. Right. I am pretty sure that if we, the Mexican-Americans, would be as united as the Negro people have been, we would be in a better position now to fight for our rights, but the thing is that, as I said, our race, we have always been inclined to be humble and just take everything that comes to us.

Only recently, well, I would say speaking from my own personal experience that if it had not been for my husband that would have married me, I probably would be still in one of those migrant camps and not want to be able to come here, dare to come here and testify because I would be afraid that the grower might not give us work or the company, and I would be without any allowances or funds. This is the fear of not knowing where the next dollar is coming from, and is what keeps people from fighting for their rights.

Senator MONDALE. Your husband——

Mrs. KRUEGER. Senator, coming back to the political, in south Texas, well, I was fired just because I was a mere innocent bystander of what was going on in the farmworkers strike. Yet they told me that if I would not have anything to do with the union that I could keep my job.

Senator MONDALE. In other words, you were told that if you would abandon your interests in the union effort, they would keep you on?

Mrs. KRUEGER. Right; and I told him I would have to divorce my husband before I could stop being involved because my husband was very much a part of this strike because he was the spiritual counsel for them, and so I told them I definitely would not promise them that I would not get involved. So then they decided to fire me.

But in the double-standard justice, just a few weeks ago we had an incident about one of our Texas senators, Senator Bates. He was speeding up the highway and a deputy sheriff came and tried to stop him, and he wouldn't stop. When finally the deputy got in front of him, he stopped, but according to a newspaper account, Senator Bates nearly ran the deputy over and he didn't stop. He just went on. The deputy phoned for help, and when other patrolmen came, he just showed his identification of being a senator, they said it was right, and he could go on. So there was no speeding ticket, no nothing, attempted murder like what Captain Allee was trying to say that I was trying to hit him over the head with my camera, and, you see, that is where—I mean I was a little person.

Senator MONDALE. Were you threatening Captain Allee? [Laughter.]

Mrs. KRUEGER. No. I was only trying to get evidence of their tactics, and they knew it, and they arrested me and exposed the film, but had it been the senator who was trying to run over a deputy, well, he is a senator, so he gets away with it. How about us that we don't have any influence? One of the rangers also testified that he wanted to arrest my husband because he had bad breath.

Senator MONDALE. What?

Mrs. KRUEGER. Bad breath.

Senator MONDALE. Is that true?

Mrs. KRUEGER. No. I have lived with him for years and I should know.

Senator MONDALE. We will send him a copy of this record I think. [Laughter.]

Mrs. KRUEGER. This is the double standard of justice that we have and this is what I am trying to plead in my statement. If we are to be considered Americans, first-class Americans, we should be treated equally and not just because you are a Senator and I am a nobody you are going to be treated better than I am. Or maybe I am mistaken. I don't know. What do you say?

Senator MONDALE. You are exactly right.

How does a mother take care of the problems of her children when they are either broke or nearly broke and they move across the country thousands of miles trying to find employment and then when they do find employment, you get some that can work and others that are too young to work? How does a mother manage that?

Mrs. KRUEGER. Well, in my 8 days' experience of living with them, I found that we were in an empty old house and we had our quilts and cooking utensils and all that. One mother would get up at 2 o'clock in the morning to make breakfast for her family and then the other one would get up later and then on and on.

Senator MONDALE. In other words, each family would take care of their own, but since you had only one kitchen, you would get up starting at 2 in the morning and take turns. She would have to prepare breakfast and get her family up, too.

How does she educate her children when they are on the road like that?

Mrs. KRUEGER. Well, she tries to tell them what is right and what is wrong, and of course the children see so many other things that they shouldn't see because they are all living together. But I know many a mother who says that she wishes that she would never have been a migrant worker because of the things that her children have to see, especially when there are single men and they get drunk and they just don't care, or bring other women off the street, and all that, and then the children see all of this and that is not right.

But deep down in the mother's heart she just wishes that she would just be an average American housewife.

Senator MONDALE. In other words, what you are telling me is what she tries to do in terms of the moral upbringing and sense of right and wrong, but how does she get formal education for her children? Many times migrants start out in the spring before school is out and don't get back before school starts. How does that poor child get educated?

Mrs. KRUEGER. Well, first of all, they will try to put the child in school, but there are several reasons that they cannot do it, there is not enough decent clothing to send a child to school, because they don't have the money to send him, to pay for the school lunch; because the child himself probably is too old to be in the class that he should be in.

Senator MONDALE. So he is embarrassed?

Mrs. KRUEGER. Right, and a lot of our young girls marry so young because they are so frustrated with migrant life that they think that by marrying a young boy that they will just be free, you know, and maybe the obligations will be there but not like having to take care of the brothers and sisters and helping with the dishes and all this for maybe 10 or 15 persons.

But this is one frustration that the teenagers experience. They drop out of school to marry thinking they will escape the frustrations of the migrant life and what it all amounts to is that in the long run they come up with babies and the young boy gets tired of life and runs out on them, and there it goes, just a vicious cycle.

Senator MONDALE. In your opinion has this situation been improving over the years?

Mrs. KRUEGER. I am sorry Senator Bellmon isn't here because I am sure that he would have been interested in hearing this, but I worked in Oklahoma for 5 years from 1961 to 1966, and the conditions there were horrible. They were just as bad as Michigan.

But now I have managed to go once a year to Oklahoma to visit the migrant families and they are very well taken care of, the housing situation, and they will not allow a migrant family to live in the broken-down old barracks that they were living in 6 years ago or 7 years ago.

Senator MONDALE. So there is some improvement?

Mrs. KRUEGER. Improvement in Oklahoma, yes. I know they are very, very well improved. Of course there are hardly any migrants now. There are, I would say, about 300 to 400 families settled in Jackson County and another in Harmon and Tillman, but conditions there have improved and they seem to be participating in the political life.

Senator MONDALE. What does a mother do, let's say, if her husband or a member of the family becomes seriously ill on the road, she has no money, and is not a resident of the county? What does she do?

Mrs. KRUEGER. Well, she will appeal to other friends in the group to see if they have had the same experience and there have been some people—well, I am talking about babies that have been sick that have died because of lack of medication because the mothers have been afraid to go and ask for help and if each place would have a worker to just tell the migrants what services are available for them, it would even be better if the grower would post a list of where they could go for help, and many lives both young and old would be spared because they wouldn't be afraid to go and ask.

Senator MONDALE. It is 1 o'clock. We could go on a long time.

Mrs. KRUEGER. Senator, I would like to get this on the record about no protection whatever to a migrant.

We had a case in Arkansas that the worker died and he was up there by himself. So the grower shipped the body c.o.d. to Mission, Tex., and I would like to have the people hear this.

Senator MONDALE. When did that happen?

Mrs. KRUEGER. That happened several months ago—October of 1968.

Senator MONDALE. He sent it c.o.d.

Mrs. KRUEGER. Yes.

Senator MONDALE. That was a thoughtless thing to do.

Mrs. KRUEGER. Collect on delivery. Of course, this is another morbid situation that migrants have to be faced with because can you imagine to even have the slap in the face that here comes the body of a beloved person and that the grower didn't even care to pay whatever the expense was?

Senator MONDALE. I think what you are saying, and this of course comes out every day, is that the migrant is so powerless that he not only has lost the capacity to argue for a better wage and working conditions and housing and health care, but in a strange way they have denied him his humanity——

Mrs. KRUEGER. Right.

Senator MONDALE (continuing). His human dignity, his right to be treated as a person.

Mrs. KRUEGER. Right.

Senator MONDALE. It is probably this final insult that is the most costly and tragic part of the total process.

Mrs. KRUEGER. Right, and I would also like to add to the record that it seems like the managers or the big wheels, if I may say this, treat people the way they want to, thinking, well, if they won't say anything, that is all right.

But I know that in Oklahoma things weren't the best in 1961, but when I would go with the children and they thought I was the mother, the principal would tell me, "I am sorry but we don't have any room." When I would announce that I was working with the child welfare, with public welfare, it was amazing how pretty soon they would have room for the children in school.

Senator MONDALE. Because they thought you were speaking with some power.

Mrs. KRUEGER. Right and because if I would introduce myself as Christina Guevara, I would be nothing. Of course, in Texas I am nothing when I introduce myself as Krueger.

Any other place the English surname is pretty powerful. So I am indebted to my husband for that, too.

Senator MONDALE. Thank you very much, Mrs. Krueger, for coming here at your own expense and helping to strengthen this record. It will help us to a great extent. Thank you very, very much.

The subcommittee is recessed until 9:30 tomorrow morning.

(Whereupon, at 1 p.m., the subcommittee recessed, to reconvene at 9:30 a.m., Tuesday, June 10, 1969.)

MIGRANT AND SEASONAL FARMWORKER POWERLESSNESS

WHO ARE THE MIGRANTS?

TUESDAY, JUNE 10, 1969

U.S. SENATE,
SUBCOMMITTEE ON MIGRATORY LABOR
OF THE COMMITTEE ON LABOR AND PUBLIC WELFARE,
Washington, D.C.

The subcommittee met at 9:40 a.m., pursuant to recess, in room 4232, New Senate Office Building, Senator Walter F. Mondale (chairman of the subcommittee) presiding.

Present: Senators Mondale (presiding), Cranston, Hughes, Saxbe, Bellmon, and Schweiker.

Committee staff members present: Robert O. Harris, staff director of full committee; Boren Chertkov, majority counsel; A. Sidney Johnson, professional staff member; and Eugene Mittelman, minority counsel.

Senator MONDALE. The Subcommittee on Migratory Labor will reconvene.

Our first witness this morning is Frank Pebeahsy, who is from Cache, Okla. He is accompanied by his wife.

Will you please come to the witness table?

The subject of this morning's hearing is "Migrant and Seasonal Farmworker Powerlessness," and we are seeking to hear from the migrants themselves about their own lives.

STATEMENT OF FRANK PEBEAHSY, COMANCHE INDIAN, ACCOMPANIED BY MRS. PEBEAHSY, CACHE, OKLA.

Senator MONDALE. We are pleased to have you and your wife here this morning. We realize you have come thousands of miles to be with us.

You may proceed as you wish.

Mr. PEBEAHSY. Thank you, sir.

First, sir, I would like to introduce my statement for the record, but what I want to say, I have just a little general outline here. All I want to say is not in my statement here.

Senator MONDALE. What we will do is take your statement that I have and put it in the record as though you read it, and you go ahead and say what you feel should be said.

(The prepared statement of Mr. Pebeahsy follows:)

PREPARED STATEMENT OF FRANK PEBEAHSY, COMMANCHE INDIAN, CACHE, OKLA.

My name is Frank Pebeahsy. I am a Comanche Indian and live in Cache, Oklahoma. I was born and raised in Cache and have been engaged in farm labor as a migrant worker for the last twelve years. With your permission, I would like to relate to you the nature of my work and travels and also some of the problems which I have faced during these years.

Usually my travels begin with my family in May. Our first stop is in Colorado to work in the sugar beet fields. This lasts approximately eight weeks. At the conclusion of the work in the sugar beets, we travel to eastern New Mexico to labor in the broom corn fields. After approximately two weeks we return to Colorado to work in potatoes. By the time we are finished in the potato fields it's Thanksgiving. It's at this point that my family and I usually return to New Mexico for a brief visit with my wife's family.

There are some years when we have saved enough money to travel from New Mexico to Phoenix, Arizona, in order to pick vegetables. More often than not, however, we have been unable to set aside enough money to migrate to Phoenix. In these years we stay in New Mexico and I attempt to pick up odd jobs in order to keep my family alive. This type of existence has been unable to yield me a living wage through the years. My family and I have worked long hours under the worst conditions imaginable and have nothing to show for our labor. You might ask me why I continue to work in the fields and travel the way I do when the yield is so low. There is a simple answer to this question. There is no other work available for me and my people and even if such was available, I do not have the training nor the education to undertake such employment.

Even though the housing which is provided for myself and my family has improved, it continues to be inadequate. The quarters are cramped and there is no such thing as sanitary facilities in your own living quarters. Last year I made a total of $2,500. This includes all of my income from both farm labor and the odd jobs I was able to pick up in New Mexico. This money was used for the support of five persons. I average working nine to eleven hours a day in the fields when I am employed. We are usually paid by the piece rate.

Because the employers are not required to pay a rate which would conform to minimum wage requirements, the older people who out of necessity must continue to work in the fields make less and less each year. Their plight becomes more hopeless each year as advancing age catches up with them.

I would like to illustrate for you through an incident which happened in my family just why it is so impossible for a migrant worker to make a living wage. This year myself, my wife, my 14 year old daughter, my brother-in-law and his wife were employed for seven days to thin, block, and weed a 5½ acre field. We labored approximately nine hours per day for that week. The total pay for all five person was $85.25. This means, Mr. Chairman, that each of us worked 63 hours for a total pay of $17.05. This works out to approximately 27 cents per hour per person.

Not only are the wages intolerable, but the working conditions continue to be the worst in America today. We are provided no breaks during the day, no toilets in the field, and none of the other advantages that most American workers have come to expect.

Government programs fail to help us because we either do not know of their availability, or we are frightened to approach the people in charge, or we have been so frustrated in the past that we have become discouraged.

Because we are forced to migrate out of economic necessity, our children must leave school early every year and are not enrolled until late in the Fall the following year. Frequently they are assigned to the same grade year after year because they have not had the advantage of a full year's education.

When sickness strikes a migrant family, it is only a rare occasion when we have the necessary funds to engage a doctor or to buy the proper medicine. We are not aware of health facilities nor are these facilities accessible to us when we do know where to go for places for treatment.

One could almost bear these frustrating and subhuman conditions if we were treated as human beings. But this is not the case—especially with my people. For instance, in the state of New Mexico in the past year the treatment of Indians has become worse. Indians are not allowed during the hours of 7:00 a.m. to 6:00 p.m. to go into town. If they do so, they are subject to immediate arrest by the constable. I have seen this happen with my own eyes. Once an Indian is jailed in this illegal manner, the constable calls the farmer who comes to town and pays the fine for the Indian. The farmer takes my brother back to the field where he is forced to work off the fine. Gentlemen, this is the town that calls itself "the town of 1,000 friendly people."

This is only an example of the treatment received by my people and other migrant workers in the southwest. From the testimony I heard yesterday I am sure these kinds of incidents happen all over this country. How long must we endure being treated like second class citizens or no citizens at all before someone wakes up and begins to change our conditions?

I am grateful for the opportunity to appear here today. I only hope that those of you in power hear my cry on the part of the oppressed and use all the power at your disposal to rid us of this yoke of slavery.

Mr. Pebeahsy. Well, to begin with, our treatment in the different States that we go to work, especially in Quay County, N. Mex., and in Phoenix, Ariz., where we work for a big producer of vegetables, the George J. Cobbs Farms.

To begin with, in Quay County, we have——

(The witness cries.)

Senator Mondale. Take your time. Don't worry about it.

Mr. Pebeahsy. Could I be excused for a few minutes, sir?

Senator Mondale. By all means.

I think what we will do, Mrs. Pebeahsy, is perhaps take another witness, and then when your husband is ready, we will start again.

I think we will do that.

(See Mr. and Mrs. Pebeahsy's testimony at page 200 of the record.)

Senator Mondale. Is Mr. Villanueva here from Washington State?

Mr. Villanueva, would you please proceed?

Do you have a written statement?

Mr. Villanueva. Yes, I have more copies of it.

Senator Mondale. You may proceed.

STATEMENT OF THOMAS A. VILLANUEVA, DIRECTOR, UNITED FARM WORKERS COOPERATIVE, INC., TOPPENISH, WASH.

Mr. Villanueva. Mr. Chairman, and members of the Subcommittee on Migratory Labor. My name is Thomas A. Villanueva. I am the director of the United Farm Workers Cooperative, Inc., an organization dedicated to alleviate the economic and social problems of farmworkers. Our address is P.O. Box 655 in Toppenish, Wash.

It is indeed a great privilege for me to adderss this body of concerned individuals. Yes, concerned individuals who seem to be favorable to stop treating farmworkers of this Nation as if they were not members of this great union that is the United States of America.

The problems of farmworkers are many and are problems that existed for past generations and are now problems of today. The awareness to these problems, the awareness to find solutions to these problems, is of today, not of yesterday.

Regardless of any grievance these individuals may have against society, we assert that their misfortune does not belong to us.

Statement by a committee of farmers, Yakima Morning Herald, August 15, 1933, pages, 3, C. 6.

After many years of suffering injustices and abuses, after many years of waiting for State and National legislators to do something about giving equal protection to farmworkers as it is taken for granted by other industrial workers, farmworkers have become restless and decided to lead their own destiny.

The battle has just begun throughout the Nation and certainly the Yakima Valley, State of Washington, is no exception.

Yakima Valley, a rural revolution is sweeping through this farm-rich valley. Unsettling changes are threatening a way of life that has become traditional, generation after generation. Effects of this agri-revolution are social, cultural, and political. But the changes themselves are being pushed along by economic conditions; farmowners and farmworkers both believe themselves caught in a confusing cost-price squeeze. The immediate result of the rural revolution is historic confrontation in the valley. On one side are most of the growers. They are joined by much of the political and governmental power in a country whose history is one of conservatism, defending "the way things have always been." Challenging these defenders of the status quo is a new coalition. It includes migrant farmworkers, led by younger men who are not content to work at "stoop labor" for pay which averages below the Federal minimum wage for all other laborers. Spearheading this group is the United Farm Workers Cooperative.

The Seattle Times, July 21, 1968, pages 1, 22, 23.

Housing has been an issue, and it has been the county housing authority that provides the worst housing. County officials, growers, and the Yakima Herald have constantly claimed that farmworkers are satisfied with the type of housing that is available; however, last year a labor camp improvement council was organized and demanded the county housing authority not to fix the housing, but at least to provide the materials and they would do the labor. The materials never arrived. (This particular council was formed of migratory farmworkers.)

Early this summer, when the man that was the chairman of the mentioned council arrived, he was told by the camp manager that they didn't want any agitators, and for him to go someplace else. This is a typical attitude toward farmworkers whenever they intend to better their working conditions.

Senator MONDALE. In this case, this particular person was trying to improve the housing for the farmworkers, and the following season, when he went back, they said, "We don't want you around here, you are a troublemaker"?

Mr. VILLANUEVA. That is right, sir.

Private organizations along with the State council of churches and State labor council and the United Farm Workers Cooperative, have been putting pressure to the State board of health. After much struggle, the board of health came out with one of the best housing codes that any labor camp might have.

The results have been an organized effort from the growers to have those regulations changed. A bill to change the regulations to apply only to new housing, but not for existing housing was passed by the State congress and senate; and fortunately Gov. Daniel J. Evans vetoed the bill; however, the State health board is now going to a series of hearings in order to change the regulations.

Growers in an attempt to force a change in the regulations have gone as far as burning shacks, shacks that should have burned 20 years ago.

This is an article that I would like to go in the record about the typical housing farmworkers have to live in, and the type that have been burned down by growers.

Senator MONDALE. That will be included in the record at this point in your remarks.

(The document furnished follows:)

[From Yakima (Wash.) Herald, May 29, 1969]

FRUIT RANCHER BURNS LAST OF CABINS FOR MIGRANT LABORERS

Orville Ormiston, fruit grower, burned the last of the farm labor housing on his home place in Wiley Heights Wednesday and joined ranks with other farmers who have destroyed migrant living quarters in the past year.

"I hope the health department has some place to house the people who come here to work in harvest," Ormiston observed as he sloshed fuel on the tinder dry cabin, the last of five which he formerly offered rent free to pickers and thinners in his orchards.

Last week at a meeting in Yakima, a Quincy farmer said he had made ashes of seven cabins on his place. Two weeks ago, hop growers meeting in Yakima reported that some of their group had burned from two to eight such living quarters.

Ormiston, with the aid of an employe, Les Markham, who has been with the orchardist for 12 years, went about the job of clearing out the final "Young's cabin" in mid-morning Wednesday.

Young's Cabins were a popular type orchard and ranch seasonal housing unit right after World War II. Thousands were sold throughout the Valley but under new Health Department rules they are considered inadequate.

"They weren't much," Ormiston observed, "but we never had complaints. Our problem was to keep too many people from sleeping in one. Three Mexican nationals used this cabin last season, and two others slept in the shower room." He said all were men.

At one time there was a cluster of cabins around the concrete block modern shower facility. Now there are none, yet the shower facilities with separate quarters for men and women will continue to be used as a cleanup spot for orchard workers.

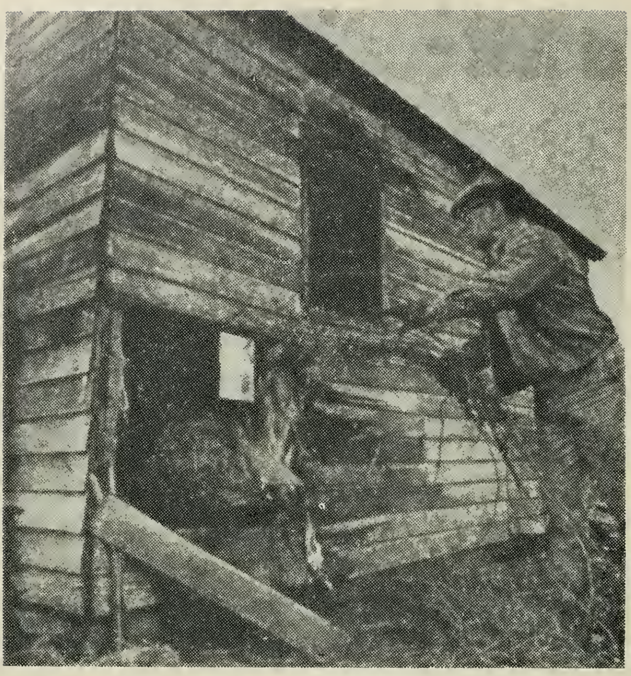
Yakima County's sanitation director, Sterling Throssell, said that with reports such as this coming out of the Valley "we expect something pretty decisive to come from the June 5 meeting of the State Board of Health at Olympia.

Throssell said an explanation is expected of just what is meant by the "go-easy" memorandum which Dr. Wallace Lane, director of the Health Department, issued earlier this year in regard to the new housing regulations which went into effect last December.

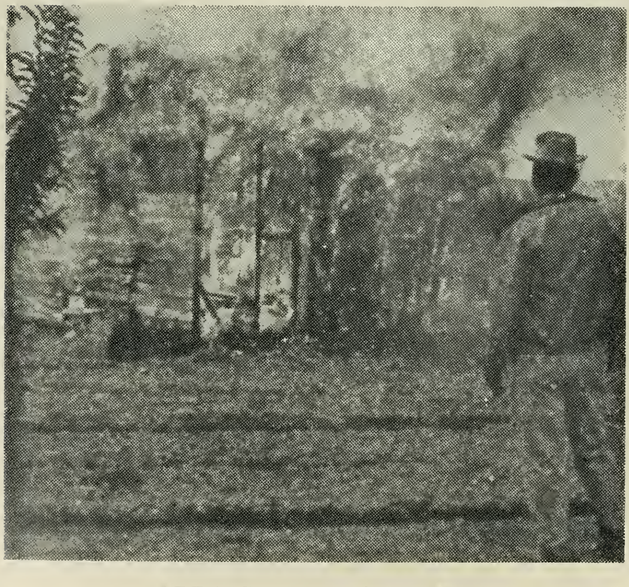
The sanitarian said he does not know of any specific "burnings" of cabins or housing. "I've heard a number of stories, however," he said.

"I have been to all these places," he added in reference to on-farm and public farm labor housing. "But, we're not taking anyone into court at this time. We're kind of holding off."

He indicated that nothing is planned in the way of stringent enforcement until after the June 5 Olympia meeting.



END OF AN ERA?
Another farm labor cabin burns.



ADDING FUEL TO FLAME
Orville Ormiston starts cabin fire.

Mr. VILLANUEVA. Mr. Orville Ormiston happens to be the Yakima County Farm Bureau president. See attached copy so that you can see the type of shacks Mr. Ormiston is burning.

In the summer of 1968, the Yakima County Health Board applied for a migrant health grant. A grant of $30,000, $15,000 of which was for salaries and $15,000 was to be spent for the many health needs of the migratory farmworker. The impact of such a program was not felt because that last $15,000 of the budget was returned to the Federal Government as "funds not needed" according to the Yakima County Health Board.

Senator MONDALE. In other words, they got a $30,000 grant, and $15,000 went for wages, $15,000 was to provide health care for the migrants, and they sent the last $15,000 back?

Mr. VILLANUEVA. Yes, sir.

This year county health board is going ahead with a similar proposal. One nurse and two or three sanitarians are to visit labor camps. The work season started 3 months ago and the program hasn't started. A group of organizations and a doctor have been drafting a health proposal with mobile clinics. Members of these organizations include farmworkers and ex-farmworkers. However, the county health board is opposed to any proposal that doesn't come from their office, and they are against any recommendations from the poor. The State health board which seems to be sympathetic to the problems of the farmworkers has no authority over its county boards, except for that of advice.

Employment security departments are part of the migratory farmworkers' problems. Employment offices recruit vast numbers of out-of-State workers without even trying to recruit locally, resulting in overwhelming groups of workers.

They start recruiting in February, Senator. They start recruiting people from Texas as the biggest part. This gives the benefit to the grower and to the labor contractor in reducing wage prices.

This is an example not included in my statement. Last year, growers were paying on the basis of $33 an acre. By the middle of the season, there were labor contractors and growers paying $15 and $16 an acre, because of the tremendous number of farmworkers in the area.

The unfortunate part is that once a farmworker is in a labor camp, even the employment security officials are unable, and in some cases don't care to do anything about the working conditions of the farmworker.

Last year I had one case which is a good example of the attitude of the employment security toward the grower and the farmworker.

Farmworker, family of eight: "Tom, we have been working with a grower in Harrah all week, and after we finished, he refused to pay our wages." Harrah is a little town in Yakima Valley.

I asked the family, "Did you find that job yourself or did someone refer you there?"

Family: "We were referred by the local employment office."

I then called the employment office and explained to them the situation. The answer I received was "I am sorry, Tom, that man is a pretty big bird."

This upset me very much and I told them, "Since when is a State agency afraid of one grower."

Employment security finally decided that they were going to do something about it. But this was up to the department of labor and industries. Labor and industries takes from 1 week to 3 months to come and look into the matter, they told me.

The amount owed to the family was over $300 and they were counting on that money to pay their payments and buy groceries for the following week. We decided to go and talk to the grower.

His argument was that "He didn't like the work they did." However, the grower was there with the workers every day of the week and never mentioned being dissatisfied with the work. It took a discussion of more than 4 hours, but he finally paid every cent he owed to the family.

These are typical actions from employment offices similar to the recruiting of labor for labor contractors.

Unfortunately the one to blame is not the growers but our own Government, since they have appointed an advisory board to State employment security, a board composed strictly of agri-businessmen. And, of course, employment security is not the only source for growers to obtain their labor. Prisoners in some cases happen to be a cheap labor pool accessible to the grower. And let me quote another article from the newspaper.

[From the Yakima Herald, Aug. 29, 1969]

> The Yakima Valley labor pool is being supplemented with the help of eight County Jail prisoners who are being freed ahead of their release dates to help harvest the crops.
>
> County Prosecutor Lincoln Shropshire said today he prepared orders for release of eight men from the County Jail. Their release was requested by Moxee area hop growers.

It is often said that education will be the salvation of farmworkers, so the employment security has been conducting a series of Manpower Development Training Act programs, which in paper have been a great success, but to the farmworker have been disastrous, not because the programs are bad. But because people have been pulled out of agriculture for 2 or 3 months (have their hopes high) and then come back to do exactly what they were doing before the training and at the same hourly wage.

Certainly we know that there is a need for training, but not the type that employment security offers.

Worst of all are the attitudes of teachers and school boards toward the migrant worker. Last winter because of bad weather, most migratory farmworkers beginning to settle in the Yakima Valley, many unemployable, had to depend on the State department of public assistance. (Maximum grant in Washington is $325, for a family of eight or more.)

As a result of this and because many parents were unable to pay their children's lunches at 30 cents and 35 cents. I will mention something that is not in my statement.

The schools do not give credit to the children for their lunches. There is only one particular school that gives credit lunches, and if the parents have not finished paying for the lunches at the end of June, they do not get the report cards back.

I should mention that many families had from four to nine children in school. A group of parents asked our local school board not to give free lunches, but to apply for the Federal reduced school lunch program so that they could afford to pay 15 cents and 20 cents a day per child.

That is 15 cents less than what they were charging. The school board refused to do it on the basis that they were not a welfare agency; however, parents continued coming to school board meetings with the same request, and getting the same response.

Children were asked by the teachers, in front of their classmates, if they expected the school to support them. Here is an editorial from the KIMA–TV station:

> At least some Toppenish citizens must be acutely embarrassed by the outright foolishness of their School Board in the handling of the program for reduced price lunches.
>
> It is perhaps a signal of the extremity of the Toppenish Board's position that the other districts with large numbers of low income students . . . including Yakima, Wapato, and Sunnyside moved quickly to assure the best for their students that available resources would provide. Superintendent Moses said today, "It is not right of the State to tell the Board what to charge for school meals." Asserting that they should "Not Dictate To Us." Against that should be balanced the blatant disregard of the Toppenish Board for the help the reduced price lunch program would have provided for the parents of some 40 percent of the students whose "welfare" is their responsibility.

Senator MONDALE. Is this Toppenish community a place in which a number of migrants work?

Mr. VILLANUEVA. Yes, that is where the vast majority of the workers come for Yakima——

Senator MONDALE. Is the school board there, in your opinion, unsympathetic to the problems of the migrants?

Mr. VILLANUEVA. Yes; unsympathetic to the problems of the farm workers, and also the community.

Senator MONDALE. Here is a case where the State Department of Education made certain recommendations to the local school districts about which children should receive free lunches, and the local school board disagreed and didn't want to provide them?

Mr. VILLANUEVA. Yes.

And we approached the State to see what they could do about the situation.

In 1966, Consultant Service Corp. conducted a $250,000 study on migrant workers in the State of Washington, for the State Office of Economic Opportunity. Another study was done by the Bureau of Community Development, University of Washington in 1967. And a third study was made by American Civil Liberties Union, in the Yakima Valley in 1968.

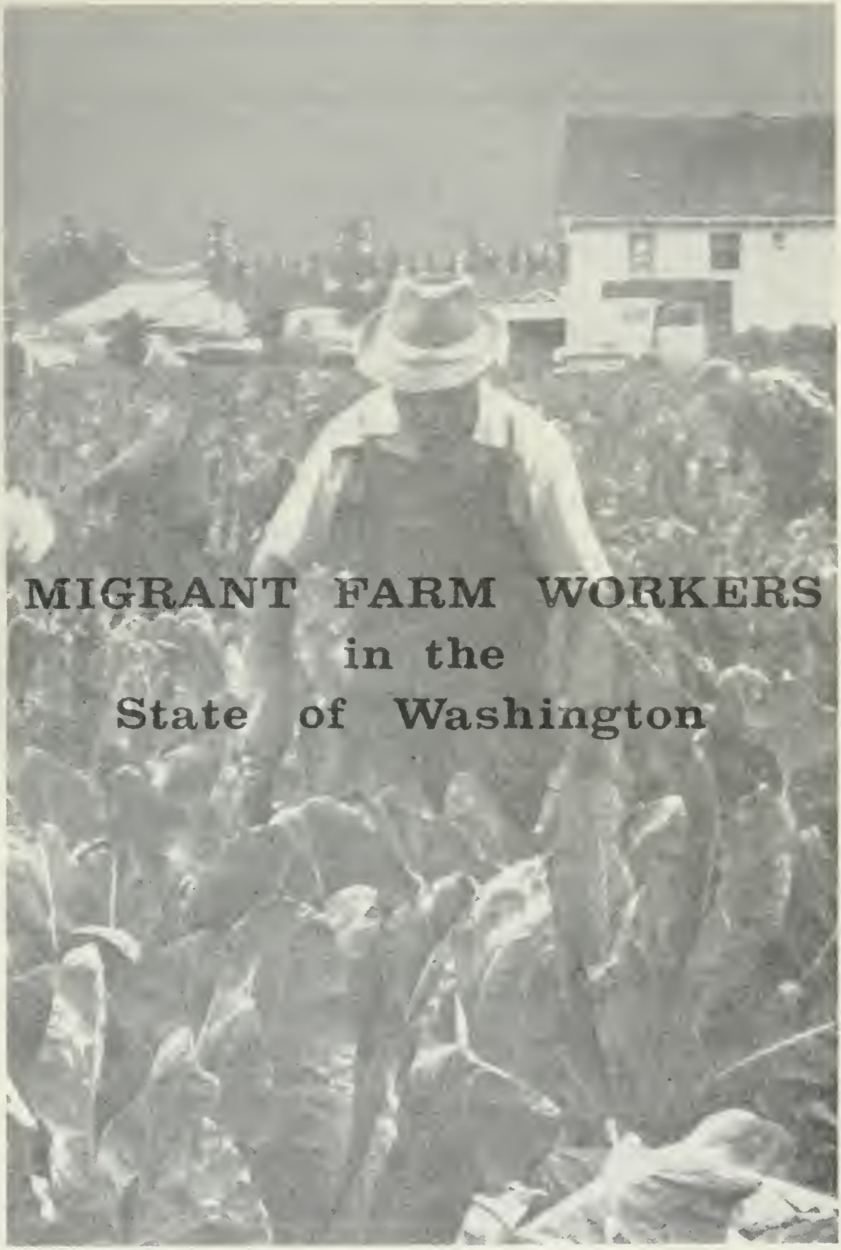
Before I go any further, I would like to submit something. I have copies of reports that I would like the subcommittee to have.

Senator MONDALE. I see that one is very voluminous. What we will do is include it in our official files, and I will ask the staff to review it and see if some matters ought to be included in the official record.

Mr. VILLANUEVA. Very well.

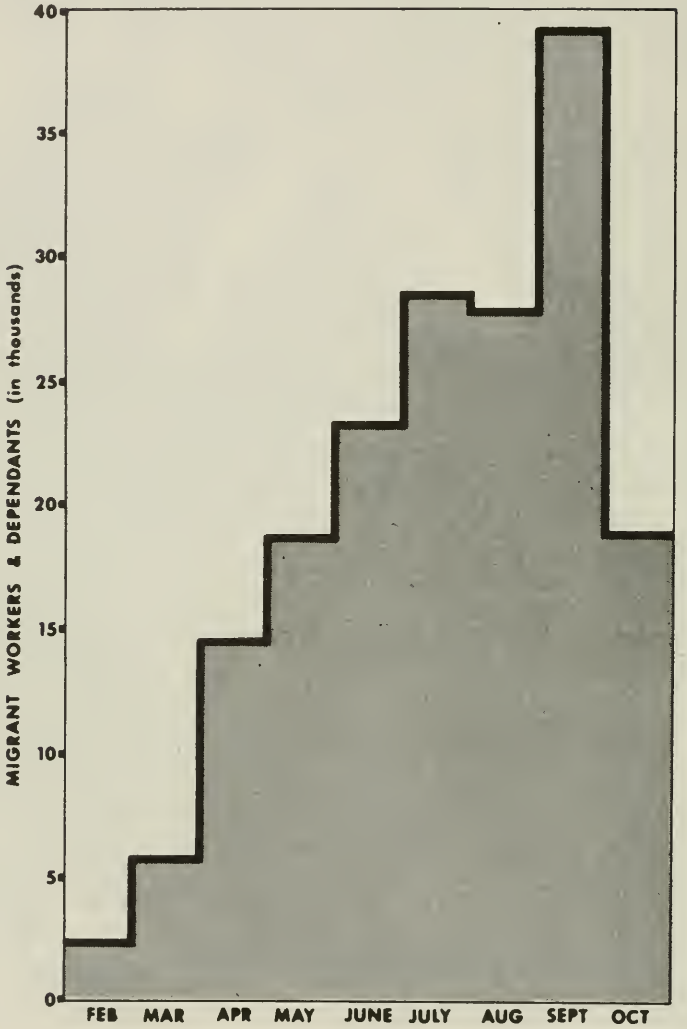
(The material referred to follows:)

MIGRANT FARM WORKERS in the State of Washington



This brochure summarizes a four-volume study undertaken during 1966
by
Consulting Services Corporation
Seattle, Washington   St. Paul Minnesota

Migrant Population in Washington by Month



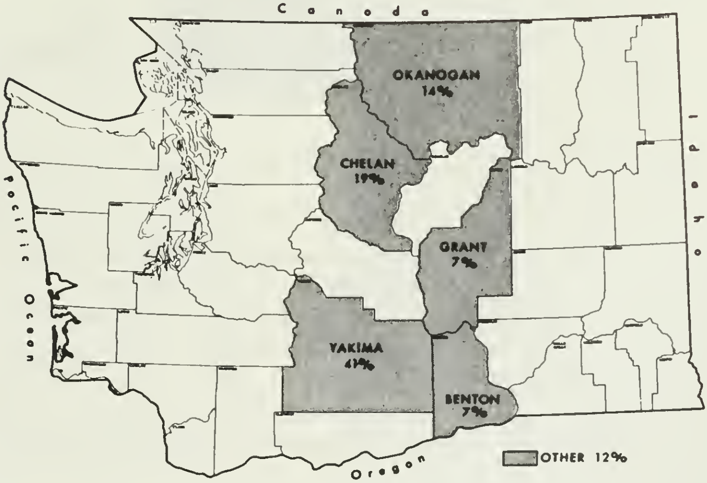
During the spring and early summer of 1966, migrant employment in Washington increased as vegetable and other crops were harvested. By mid-July over 28,000 migrants were in the state. When the tree fruits ripened in September, the migrant population had reached a high of 40,000.

Definition of a Migrant

For the purposes of the survey a migrant was defined as a person who stays overnight away from home (and in a different county) in order to obtain temporary work on a farm.

In Washington the migrants consisted of several different ethnic groups. Anglos (white) represented 49% of all migrants, Latin Americans 41% and Others (mostly American and Canadian Indians) 10%.

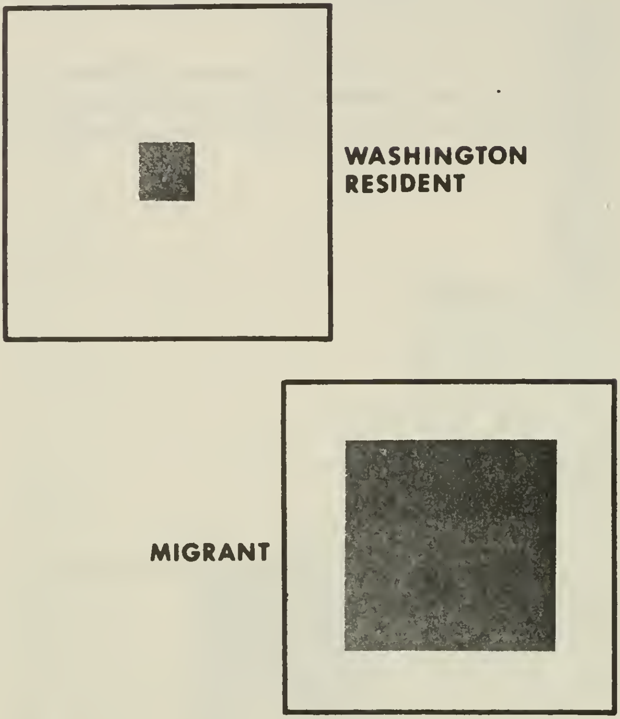
Where the Migrants Live While in Washington


Canada
Pacific Ocean
Idaho
Oregon
OKANOGAN 14%
CHELAN 19%
GRANT 7%
YAKIMA 41%
BENTON 7%
OTHER 12%

In Washington, five counties accounted for at least three fourths of the state's migrant population during 1966. A total of 19 counties had some migrant agricultural employment during the year.

Migrant Housing in Washington

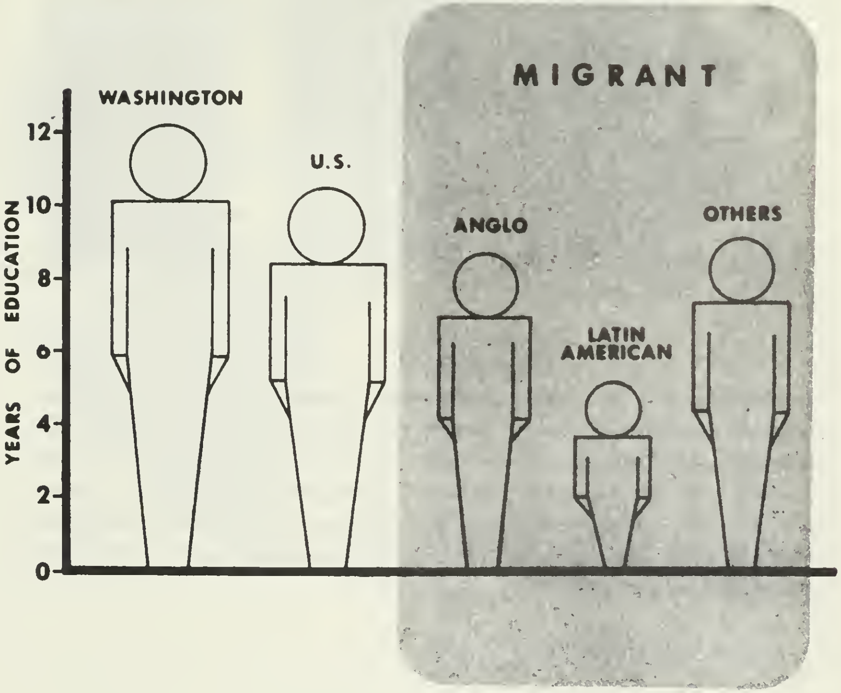
Persons Per Room

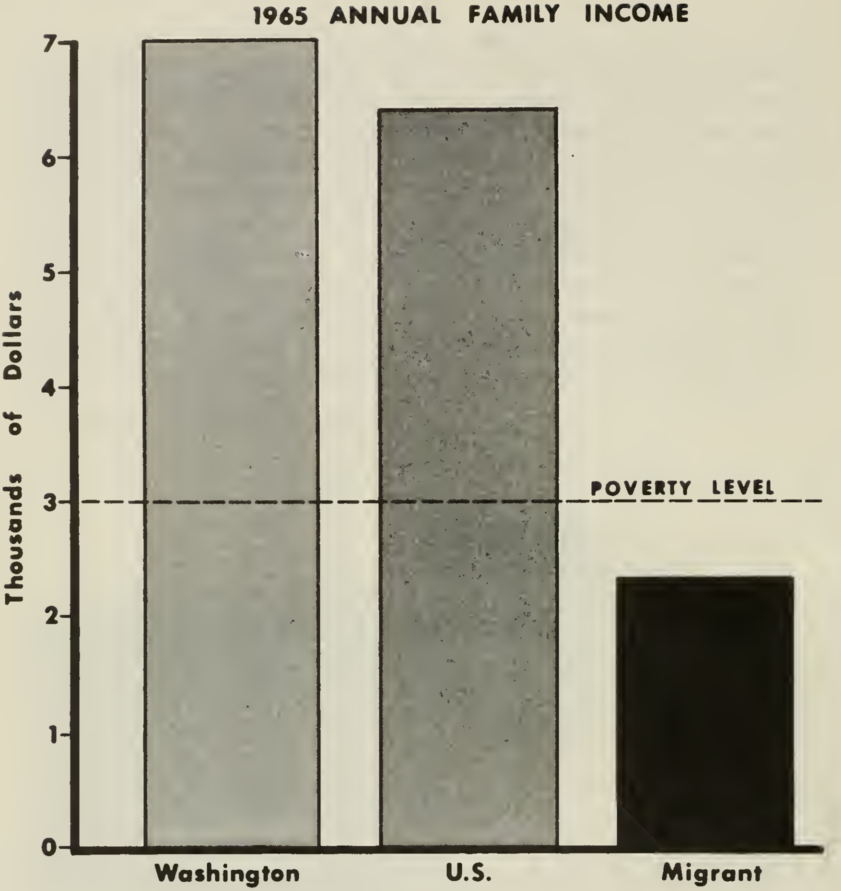


The typical migrant housing unit was a one-room single or row cabin on the farm. The one room was occupied by between 2 and 3 persons. By comparison, Washington State renter-occupied units contained between 1 and 2 persons and the unit consisted of 3.6 rooms. Statistically, the typical migrant room contained 2.6 persons, while the comparable figure for the state as a whole was 0.6 persons per room. The migrant house was generally provided rent free. A substantial majority of migrant housing in Washington satisfies the requirements of the State Board of Health and the suggested standards of the President's Committee on Migratory Labor.

Migrant Education

Migrant children between 6 and 15 years of age attended school about 21 weeks during the 1965-1966 school year. The school year lasted 36 weeks; hence, the typical migrant child attended school a little over half the time. The predominant reason given for missing school was travel. The typical adult migrant had completed the eighth grade. The typical U.S. adult had completed ten grades and the Washington State adult had completed the twelfth grade. Slightly over 70% of the migrants usually spoke English in their homes. Seven percent could not speak English at all. About 20% could get by in English but were not fluent. Sixteen percent of the adults had received some vocational education.

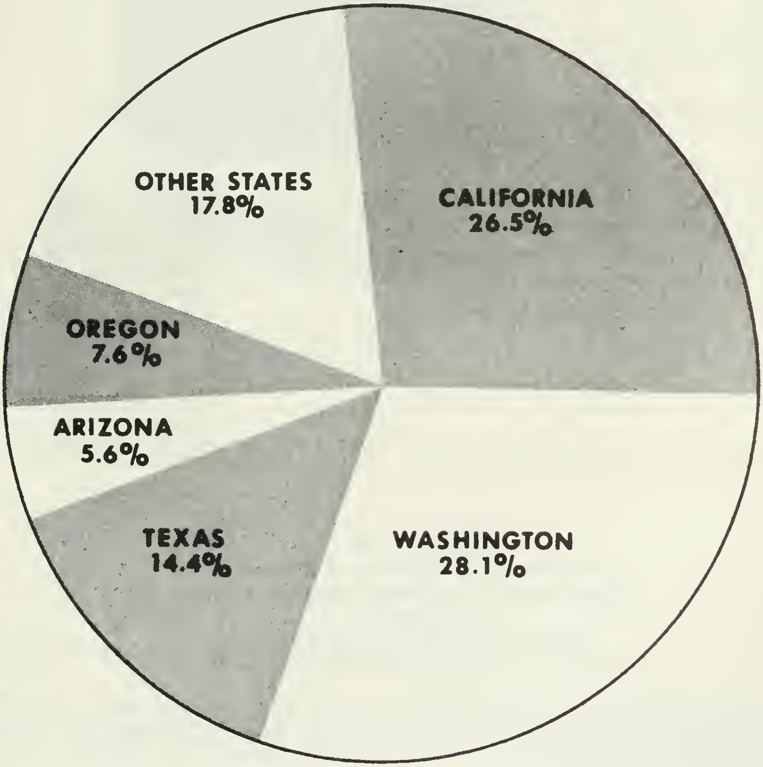




In Washington State during the 1966 growing season, the typical migrant worked 8.6 hours a day. For those paid by the hour, the typical wage was $1.46 per hour. The annual income for the preceding 12 months from seasonal agricultural work was about $1,200. His total income from all sources for the preceding year was $2,300. The poverty level of income is generally recognized to be $3,000 per year.

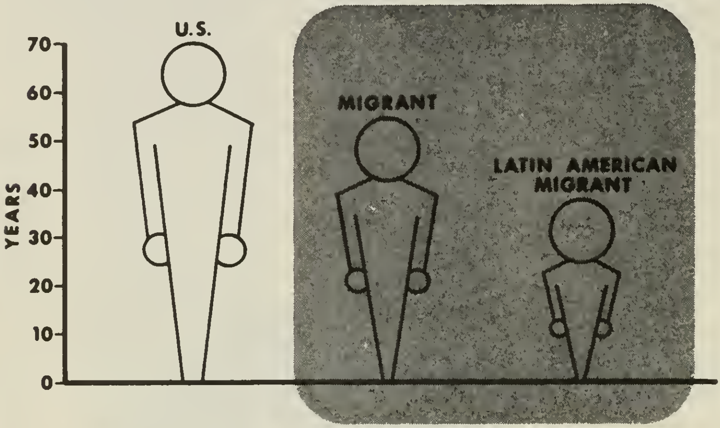
Winter Residences of Washington's Migrants

Almost three quarters of Washington's migrant families spend their winters in another state. As many Anglo families winter in Washington State as in California. The majority of Latin American families return to Texas and California when employment ends. Each year they travel north again, looking for work.



Migrant Health

Respiratory and gastro-intestinal were the two most prevalent types of diseases reported by migrants. The average working migrant reported he was absent from work due to illness ½ day a month – about the same as the national average for all types of employment.



On the average, a child born in the United States last year could expect to live to 70 years of age. By comparison, a migrant child could expect to live to 55. A Latin American migrant could expect to live to 38, 32 years less than the average American. Forty-one percent of all Latin migrant deaths occurred to children under 5.

Prepared for
State of Washington Office of Economic
Opportunity – Olympia, Washington
Prepared by
Consulting Services Corporation
Seattle, Washington & St. Paul, Minnesota

The information summarized in this report was developed under a research contract with the Office of Economic Opportunity, Washington, D. C.

For additional information or for the four Volume Study, address inquiries to:

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Migrant Farm Workers
in the
State of Washington

A SUMMARY OF FINDINGS

by:

Consulting Services Corporation

for:

State of Washington Office of Economic Opportunity

THE MIGRANT AND WASHINGTON AGRICULTURE

In Washington State, agriculture produces over $600 million worth of farm products annually. It also forms the base for other important industries within the state, such as those associated with the marketing and processing of farm products.

In 1966, an average of 91,000 agricultural workers per month were employed in Washington State between May and November. An average of 11,000 of these workers were migrants. Migrant workers are needed primarily for preharvest and harvest operations in the sugar beet, hops, berry, asparagus, potato, pea, vegetable, and apple and other tree fruit crops. These crops require large numbers of workers for relatively short periods of time. The work force must be supplemented by seasonal workers, because the full-time agricultural work force cannot supply adequate workers for the demand periods.

THE MIGRANT LABOR MARKET

There are several characteristics which make the migrant labor market unique among most other labor markets. First, there are few legal requirements which make it necessary for an employer to distinguish among workers. For example, migrant workers are not covered by unemployment compensation. Second, very little skill is required to become a seasonal, agricultural laborer. And third, the majority of the workers are paid on a piece-work as opposed to an hourly rate basis. The piece-rate wage allows growers to employ workers of widely differing ages and skills because their wage is paid on the basis of how much a worker harvests, rather than how many hours he works.

There are also certain factors such as weather, plant diseases, time of harvest, expected produce prices, and mechanization of crops which can affect the number of migrants who are employed during the agricultural season within the state.

COMPOSITION OF THE LABOR FORCE

There were significant differences in the employment patterns of the Latin American and Anglo migrants. The Latin American migrants worked primarily in the fields at stoop labor tasks and preferred to be paid by the hour. They were employed early in the season in the berry, asparagus, and vegetable crops. They usually traveled with a family, and often several members of the family worked in order to increase family income. The Anglos worked primarily in the tree fruit harvests, which occurred in the mid and late season. They preferred to be paid on a piece-rate basis, and usually traveled alone.

Nearly one-third of the total migrant labor effort (employment) was contributed by female workers. There was also a high incidence of agricultural employment among migrant children and adolescents.

INCOME AND EXPENDITURES

The typical migrant worker received a wage which was well in excess of the wage guaranteed under the proposed Federal Wage Legislation for agriculture. However, the migrant family's annual income was considerably below the poverty level of $3,000. The main reason their income remains so low is that the migrants are not employed on a year-round job. The hours which a migrant can devote to productive employment during the agricultural season are also limited by the time he must spend traveling, inclement weather conditions, and the normal unemployment in non-permanent job situations.

Rent expenditures seem to be a minor factor in the migrant's expenditure pattern during the agricultural season. Food and travel expenses appeared to constitute a much more significant factor in their budget.

So long as the migrants maintain their present mobility patterns, their income will remain in the poverty class. However, simply establishing a permanent residence will not immediately raise their income or increase their standard of living.

HEALTH

Migrant health problems are largely typical of other disadvantaged groups within the population. Low annual income, lack of education, and a high degree of mobility are factors which account for most of the migrant health problems. Other factors, such as housing and sanitary conditions, methods of food preparation, inadequate kitchen facilities, and language limitations, further complicate the health problems. Causal factors for these health problems appear to be a lack of exposure to preventive immunization, a lack of medical treatment and care, and, generally, a lack of health education. The effect of these causal factors is primarily manifest in substantially higher birth and death rates for the migrants in comparison with the U.S. rates, a somewhat greater dependence on home remedies than on professional help, and a prevelance of chronic illnesses, primarily gastrointestinal and respiratory in nature.

EDUCATION

Both migrant children and adults showed a lack of sufficient, formal education. The average child attended school for just over half of the school year. The major reason given for absenteeism from school was traveling. The average adult had completed the eighth grade. The major factors affecting the migrant's lack of education were sporadic attendance, enrollment in several schools each year causing adjustment problems, late entrance in the fall and early drop out in the spring, language problems, the necessity of helping to provide the family income, and a lack of transportation to and from school.

Very few of the migrants had received vocational training. The qualifications for entrance into these programs require a higher level of education than most migrants usually receive. Lack of fluency in English also probably prevents many Latin Americans from receiving vocational education.

About one-fifth of all migrant children attended day-care centers during the 1966 agricultural season. The utilization of the day-care centers appears to depend on their location within the community relative to migrant living quarters and transportation. The centers seem to fill the educational needs of the migrant children, while at the same time, they provide a place to stay while the parents work.

HOUSING

A substantial majority of the migrant housing in Washington State satisfied the requirements of the State Board of Health and the suggested standards of the President's Committee on Migratory Labor. The requirements which were satisfied included the structural soundness of the housing (state of walls, floor, roof, and windows), the number of facilities provided per person, and the square feet of housing space provided per person.

Deficiencies, where they existed, tended to be of a non-structural nature. The storage of garbage and campground drainage fell seriously short of the required standards. A significant proportion of the labor camps had communal facilities which did not work efficiently, or which were unclean. This suggests a need for increased day-to-day supervision during the growing season.

Structural inadequacies (that is, inadequate in terms of existing regulations) were primarily a lack of adequate ventilation in some housing units and a lack of hot and cold running water in some communal facilities.

MECHANIZATION

The trend in mechanization in Washington State crops has been apparent for many years. The wheat crops were at least partially mechanized by the turn of the century, and potatoes, which were harvested almost entirely by stoop labor twenty years ago, are almost entirely mechanized today.

It is estimated that by 1976, the demand for migrant labor will have decreased by 5 to 20 percent due to mechanization. The crops most likely to become mechanized are those which presently employ Latin American migrant labor, primarily sugar beet cultivation and asparagus. It is not anticipated that the tree fruit industry in Washington, which employs mostly Anglo labor, will become mechanized in the near future.

Therefore, while the demand for all migrant labor could decrease by 20 percent, the decrease for Latin American migrants could reach as high as 50 percent. In view of the lower demand for Latin American migrants, programs should be considered to retrain Latin Americans for work in either less mechanized crops, such as tree fruit, or in non-agricultural industries.

COMMUNITY ATTITUDES

The Community Attitude Survey was designed to determine the attitudes of community leaders about the migrant worker. The study revealed that a large proportion of the respondents (42 percent) was unfavorable in their attitude toward the migrant. Few of the respondents had favorable attitudes (4 percent), but there was an even larger group of respondents (53 percent) who appeared somewhat vague about their attitudes toward the migrant and chose to remain neutral.

When asked about the community's acceptance of migrants, the leaders tended to express attitudes which would reflect well on their own community and its concern for migrants, rather than the actual treatment and assimilation of the migrant within the community. As most of the leaders were actively concerned with community welfare and improvement, it seems probable that any occupational and/or community biases which were found in the results could have been expected.

THE FORMER MIGRANT

The Former Migrant Survey was designed to yield information on a group of migrants who had left the migratory stream. Data was collected on economic and social characteristics, attitudes, and reasons for settlement in Washington State.

Settlement out of the migratory stream occurred without a discernible pattern and is almost entirely dependent on the availability of steady employment. No characteristics were found in this survey which differentiate the former migrant, before settlement, from his non-resident counterpart. Settlement undoubtedly brings benefits to the migrant in the form of increased income and opportunity for education; however, the migrant's attachment to agriculture is still substantial (over 60 percent were employed in agriculture in 1966). Thus, settlement itself does not allow the migrant to move out of agriculture; education is probably a necessary accompaniment.

For the future, it could be said that the migrant will probably settle permanently only to the extent that steady employment is available outside the migratory stream. It should more often be agricultural employment, because the migrant is seldom trained for anything else. It seems to be only after settlement, when educational opportunities are increased, that the migrant can gradually equip himself for year-round, non-agricultural employment. Until migrants are able to obtain better education, they will continue their migratory way of life.

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RECOMMENDATIONS FROM VOLUME IV OF IV—CONSULTING SERVICES CORPORATION SURVEY—MIGRANT FARMWORKERS IN THE STATE OF WASHINGTON

I. Migrant employment and earnings

1. Nationally, it is recommended that the Taft-Hartley Act and the Fair Labor Standards Act be amended to provide full coverage and protection for migratory farm workers. At the state level, it is recommended that the state's Employment Security and Workmen's Compensation laws be amended to extend full coverage to all agricultural workers. Any private coverage allowed under Workmen's Compensation should be uniform with the coverage under the present state laws. In particular, the contributory negligence clauses currently allowable under private coverage should be eliminated to insure that workers will receive uniform treatment whether they are covered by the state system or a private carrier. It is also recommended that the Women and Minors Law of the state be amended to include agricultural workers. Of particular concern here is that children be prohibited from farm employment in the immediate vicinity of hazardous machinery, and pregnant women be prohibited from working in the fields, during the month immediately prior to giving birth.

2. At the administrative level, it is recommended that the state Employment Security Department establish casual labor offices within, or close by, migrant labor camps to provide day-by-day employment opportunities for migrants unable to obtain agricultural employment due to inclement weather or the timing of crop harvests.

3. It is also recommended that the state Employment Security Department seek to expand its day-haul programs in the eastern part of the state—particularly as they apply to adult workers and older youth.

4. It is recommended that the state Employment Security Department develop better labor contracts and use them for both their Annual Worker Plan and agricultural office placements. The proposed standard agricultural worker contract developed by USDA should be examined for possible use. The contract which is finally developed should include a bonus wage section only when the bonus is calculated over and above the stated wage in the contract. All contracts should be filed in the states' office of the Department of Labor and Industries so that their effective enforcement can take place. To assure contract enforcement does occur, it is suggested that additional appropriations be given to the Department of Labor and Industries so that additional staff members can be hired during the season when migrants are in the state.

5. It is also recommended that the Department of Labor and Industries require copies of the legal rights of agricultural workers be printed in both English and Spanish and posted in central areas of farms which are employing migrant workers.

6. Finally, it is recommended that farm operators be required to provide sanitary toilet facilities and drinking water for agricultural workers who work in the fields for a period of four consecutive hours or more.

II. Health care and related welfare

1. It is recommended that the State Department of Health immediately apply for funds available through the Office of Economic Opportunity and the Department of Health, Education and Welfare to establish local health clinics for migrant workers. These clinics should be open during the evening hours so that migrants could avail themselves of this service after work. Mobile health centers should be developed and equipped to provide immunization for diseases covered by HEW's intensive community immuization program, as well as giving basic medical care. The mobile units should be staffed by bilingual medical personnel and they should operate at roadside during the days and within labor camps during the evenings. The units should be equipped to test for possible tuberculosis and venereal disease.

2. The Department of Health should investigate the possibility of locating free phones in all labor camps which have direct hookups to health centers in which qualified medical personnel are on 24-hour duty. It is recommended that the Employment Security Department institute a program of free physical checkups as a requirement for participation in the Annual Worker Plan.

3. It is further recommended that the Public Health Service expand and encourage the use of health cards. The Public Health Service should also set aside special funds to provide assistance for pregnant women who arrive in this state during the late spring months—a period when PHS funds usually have been

depleted. The Public Health Service should also be responsible for developing and administering a health screening program for all migrant children.

4. It is suggested that the state Health Department investigate the feasibility of establishing alcholism clinics in areas where large numbers of single, Anglo, migrant workers are employed. The clinics should be operated in conjunction with the local police forces. Although a program of this nature would be difficult to organize, testimony offered at the Community Agricultural Forums demonstrated the major concern of Washington's farmers about this problem and the need to provide a solution for it.

5. It is recommended that day-care centers funded by the Office of Economic Opportunity have provisions for special types of remedial health care. In particular, there is a need to correct the apparently high incidence of vision and hearing deficiencies which exist among migrant children.

6. It is recommended that simplified procedures be worked out to make emergency general assistance funds available to migrant families in which the head of household is found to have a communicable disease or other illness which keeps him from working. It is suggested that courses, taught by bilingual instructors, in food preparation and related home economic subjects be made available to migrants by locating facilities within migrant labor camps and at existing and planned migrant child-care facilities. Finally, it is recommended that the Dept. of Public Assistance examine the financial impact of eliminating durational residence requirements for welfare assistance to migrants attempting to establish permanent residence within the State of Washington. (This recommendation is pending court action on the Connecticut test case in which it was found that residence requirements were declared unconstitutional.) It is further suggested that such an examination culminate in the introduction of legislation to modify the public assistance laws which takes cognizance of the special problems of migrant families during the first year of permanent residence.

III. Education and child care

1. It is recommended that the Washington State Department of Public Instruction continue to expand its migrant division and immediately request additional funds from the Federal Department of Health, Education, and Welfare under the Migrant Section of the Elementary and Secondary Education Act. These funds should be made available for direct educational assistance of migrant children. The division should actively encourage more school districts to provide summer school programs for migrant children (at present 10 out of 250 school districts have migrant programs). It is also suggested that all migrant summer school programs which are made available, funds for transportation to and from schools should be included in the budgets.

2. It is further suggested that school districts in which there are large concentrations of migrant children consider the possibility of special summer courses oriented to migrant children. The special courses should contain a strong vocational education component as well as familiarization with local affairs and local government.

3. To assist in migrant school programs, it is recommended that indigenous migrants be used as teacher aids (or some other sub-professional title). It is suggested that this program be financed by a demonstration grant under either the Elementary and Secondary Education Act or by the Scheuer Amendment to the Economic Opportunity Act. The Washington State Department of Public Instruction should insure that all classes for migrant children be integrated with children from the regular school population and that special or supplementary classes be offered during the day to handle any remedial problems which might occur. Consideration should be given to the teaching of English as a second language for Latin-American migrant children.

4. It is suggested the State of Washington provide additional funds to school districts during the period when overload problems are experienced due to the influx of migrant children. School districts with large populations of migrant children should also apply for special assistance programs such as the Special Milk Program and the National Lunch Program which are available through the U.S. Department of Agriculture. Local school districts should be required to tighten the enforcement of their truancy regulations in local labor camps during the early spring and the late fall. Finally, it is recommended that the interstate educational record system be strengthened and expanded.

5. The number of day-care centers for migrant children in Washington State should be expanded. In particular, it is suggested that the Department of Public Instruction investigate possibilities for providing local elementary school fa-

cilities for migrant day-care centers and that the Federal Office of Economic Opportunity investigate the possibility of using such provided educational facilities as local share contributions necessary for OEO grants. Day-care centers developed in this manner should be required to install air conditioning units during the summer months. It is strongly recommended that "Head Start" type programs be developed as adjuncts to all day-care facilities operated in Washington State. It is further suggested that demonstration programs be instituted to provide transportation for migrant children from their place of residence to day-care facilities.

6. In the area of adult education, it is recommended that Manpower Development and Training Act programs in vocational education and Office of Education (State Dept. of Public Instruction) programs in basic education and high schools equivalence be instituted for migrants. Such programs should be timed to being immediately after the end of the growing season in Washington State. They should be funded to provide subsistence allowances to migrant families seeking to increase their educational attainment by wintering over in Washington State. It is also suggested that educational programs in the area of home economics, food preparation, and pre-natal and post-natal child care be developed and offered for female migrants. Where the enrollment in all-adult education courses is substantially made up of Latin-American migrants, it is suggested that all instructions and trainers be bilingual.

7. Finally, it is suggested that there be closer integration of local migrant programs with the migrant programs funded directly through the Office of Economic Opportunity. To help with this integration, the local CAP groups are encouraged to set up basic education and language courses to help migrants qualify for vocational training programs. The CAP groups could then refer migrants who completed these courses to local community college•programs.

IV. Housing and sanitation

1. It is recommended that the Subcommittee on Migratory Labor of the Governor's Committee on Health Education and Welfare Programs, together with relevant state departments and agencies, evaluate the possibility of making available to migrants, under a rent subsidy program administered by local housing authorities, single-family housing units in communities which presently have a high vacancy rate. The advantages of moving migrants into such housing units include: (1) an immediate upgrading of migrant housing and a consequent inducement for the migrant to winter over, (2) closer proximity of the migrant family to public facilities, such as basic education, vocational education, police protection, fire protection, medical facilities, (such proximity would improve the general health, education and welfare of the migrant family and better train them to function effectively both within the community and on the job) and (3) the creation of a better trained, more stable and more productive labor force for agricultural employers as well as for other employers within the community.

2. It is recommended that the Subcommittee on Migratory Labor of the Governor's Committee for Health, Education and Welfare Programs review the labor camp code of the State Department of Health for the purpose of improving clarity of the code through more explicit statements and extending the code to areas which are now covered, such as provision of kitchen facilities, wiring regulations, fly screening, and the fumigation of bedding. The illegal sale of alcoholic beverages in migrant labor camps should be more stringently enforced by local police.

3. It is recommended that all on-farm housing be registered with the State Dept. of Health and that the present regulation which states that ten or more workers must be living in a labor camp to warrant inspection be eliminated. Thus, all camps would be subject to inspection. Concomitantly, it is suggested that additional funds be appropriated to the Health Department to employ a staff of inspectors full time during the growing season to assist the county sanitarians. To help define the migrant housing situation in the state, it is recommended that a uniform housing inspection form be developed and provided for the housing inspectors. Copies of the completed housing forms should be kept in a centralized location.

4. Finally, it is recommended that Title 1 of the Housing Act of 1965 be amended to provide F.H.A. financing for the following situations: (1) migrant workers who wish to purchase mobile homes and remain in the stream, (2) migrant workers who wish to purchase homes and settle out of the stream, and (3) individual growers who wish to build new housing or improve existing housing for migrant workers.

V. *General recommendation*

1. It is recommended that special motor vehicle exemptions be made available for migrant workers. To implement this change, it is suggested that the state weighing stations be given the authority to issue a card identifying migrant workers and excluding them from the following regulations: (1) buying Washington State license plates, (2) obtaining a Washington State driver's license, and (3) making out change of address forms. It is also suggested that the Department of Motor Vehicles develop a Spanish version of the Motor Vehicle Licensing Test for Spanish-speaking people.

2. Recommended that the Governor's Subcommittee on Migratory Labor develop a single operating definition of a migratory worker which is acceptable to all state agencies, and that the Governor take action to require all state agencies to adopt the uniform definition which is developed.

3. Recommended that a state-wide CAA migrant coordinating committee be established under the auspices of the State OEO Technical Assistance Office. The purpose of this coordinating committee would be to review proposed migrant programs prior to funding to insure the integration of the efforts. Such integration would have particular significance when applied to the development of educational and training programs.

4. Recommended that the Governor establish a Task Force on Rural Poverty to define long and short term goals and to develop comprehensive operating programs to elevate the socio-economic status of migrant farm workers—and other rural poverty groups—in Washington State.

WASHINGTON AGRICULTURAL PRODUCERS COUNCIL,
November 6, 1967.

Hon. DANIEL J. EVANS,
Office of the Governor,
Legislative Building,
Olympia, Wash.

DEAR GOVERNOR EVANS: This letter has reference to a 1966 migrant labor study in Washington State by Consulting Services Corporation. It is a summary of the attitudes of a broad scope of our State's agricultural producers who were represented at a meeting in Ellensburg on October 11, 1967, when Consulting Services Corporation's study Summary was reviewed.

We ask the thoughtful consideration of these, our attitudes, toward migrant labor problems from your advisors and you. Reference is made to the "Recommendation" sections of each chapter of the fourth volume of Consulting Services Corporation's Migrant Farm Workers Study:

Chapter 1—Migrant employment and earnings

1. It appears that Consulting Services Corporation did not base their recommendations to amend the Taft-Hartley Act and the Fair Labor Standards Act on any evidence gathered from the research discussed in the three volumes previous to their summarizing volume. Their recommendations, we feel, should be based purely on their study and not on what appear to be preconceived ideas or beliefs. The agricultural industry is opposed to amendments to the Taft-Hartley Act and the Fair Labor Standards Act which would place farm employers in a position where they would be compelled to bargain with farm labor unions. Most farm labor is harvest labor which becomes available immediately prior to when the crop must be harvested. Most farmers' life savings and borrowing power has been completely used in the growing of their crops. The farmer is in no position to bargain equally at harvest time since his crop must be harvested at a precise moment when it is mature, and there can not be a time lapse waiting for the outcome of lengthy bargaining negotiations. A strike at harvest time could practically bankrupt most farmers. Those Federal laws were designed to give the workers and employers somewhat equal rights in collective bargaining. Delays in manufacturing industrial goods, although penalizing both the wage earner and employer, do not destroy the employer's total investment during normal periods of negotiation.

2. Inclusion of the farm worker under the State Unemployment Compensation Act seems difficult to administer since most of the farm workers are employed only for a few days by any employer, and in many instances, only for a few hours. The bookkeeping chore for a farmer would be immense and enforcement

would be difficult. There are currently some relief programs available to farm workers who are temporarily unemployed. The initiation of this program for farm workers would encourage more of the migrants to settle in Washington, which could increase the cost of other welfare programs. The cost to farmers of financing such compensation would be disastrous to them. It must be kept in mind that a farmer can pass his costs to no one, so certain industrial programs are not feasible in agriculture.

3. As reliable farmers have adequate liability insurance to cover bonafide on-the-job injuries, we do not believe it necessary, to cover farm workers under the Washington State Workmans Compensation Act. Private insurance companies provide good coverage at reasonable rates, and many have safety engineers working with the employer to promote safer working conditions on the farm. Contributory negligence clauses should remain in the present insurance coverage because, for example, there is a high incidence of alcoholism among farm workers which can contribute to carelessness.

4. We feel the Women and Minors laws of Washington State should not be amended in a way to discourage children from farm work of a nature beyond the limits of federal laws which currently restrict child employment. Children of the farmer, or an employee, should be free of restrictions since they are working under the direct supervision of a parent. Farm work is one of the few areas remaining where teen-aged children can gain the benefits of job responsibility. Women who will soon give birth to children should not be employed to do farm work, we agree. Most farmers do not now let obviously pregnant women do field-work.

5. Day-haul facilities have not been in demand in Eastern Washington by either employer or employee groups. The Washington State Employment Service, we understand, is equipped to co-ordinate this type of program if there is either an employer or employee needs. Farmers in Eastern Washington have been providing transportation when required.

6. We do not feel any State or Federal agency should involve itself with labor contracts other than the current annual worker plan placements. Current experience shows that existing United States Department of Labor supervised worker placement contracts guarantee job conditions for the worker, but the employer is given no assurance the employee will arrive for the job. And if the employee does begin work, there is no guarantee how long he will remain. Contracts of the above nature have been well enforced by the Washington State Employment Service since that organization has the leverage of refusing to co-ordinate further contracts with an employer or employee with whom there has been poor experience.

7. Most farm labor offices have a bulletin board or similar arrangement where bulletins or pamphlets informing farm workers of their legal rights could be made available. It does not seem to us any other agency need to become involved when this good recommendation of Consulting Services Corporation could be adequately handled by the existing Farm Labor Employment Services. Those legal rights should be printed in both English and Spanish.

8. We strongly agree that all farm operators should be required to provide clean toilet facilities and drinking water for agricultural workers who work in the fields for a period of four hours or more.

Chapter 2.—Health care and related welfare

1. It appears reasonable that effort be made through the Washington State Department of Health to extend additional health services to migrant workers. Provision of mobile clinics, physical examinations, health services to children and pregnant women and treatment for possible tuberculosis and venereal disease are worthy objectives. Such steps deserve the support of farmers and the public in general.

2. The suggestion that the State Health Department investigate feasibility of establishment of alcohol centers in areas where large numbers of single migrant workers, or transients, are employed approaches what we feel is a major problem. Would it be more sensible to establish such centers in cities like Portland, Spokane or Seattle where the majority of the so-called "winos" spend the greater part of the year? In other words, make this a total effect and not limit it to just the farm sectors.

3. Day-care centers funded by the Office of Economic Opportunity should have provisions for special types of remedial health care. Our observations indicate that children of migrants are likely to have problems of hearing, vision, dental

care, and other health conditions that could be remedied or assisted if treated in time.

4. It also appears in accord with humanitarian principles to provide assistance to migrant families when the head of the household is found to have a communicable disease or other illness which keeps him from working.

5. Recommendations involving instruction in food preparation and home economics subjects at migrant camps and at migrant child care facilities might be worthy of further experimentation. Relatively few migrants are concentrated in camps where instruction has been offered. Efforts of this nature have been attracting few actual migrants in some communities.

6. We fear that the Department of Public Assistance would feel a severe financial impact by eliminating current residence requirements for welfare assistance to migrants attempting to establish permanent residence within the State of Washington. Expanding welfare in such a form would make the state the haven for every welfare patron who found conditions unfavorable in his own state. To limit such "immediate welfare" to migrants would be next to impossible, because any person could say he was coming here to find work. To limit such welfare assistance to migrants, who indicate they wish to remain in our state, likewise could build a favored category of welfare cases for people who, for one reason or another, prefer to spend the winter here rather than to return to their home location.

7. In reference to welfare programs, we feel consideration should again be given to an idea presented to the State Employment Security Department by its Farm Labor Advisory Council which met in Yakima on April 4, 1967. The essential part of the minutes of that meeting reads:

> Most unemployed qualified men with an average or large family can receive more doing nothing than they can pruning on short, winter days. We cannot ask a man to work for less. Winter farm wages which would equal public assistance income are not possible to pay, especially to a man with a large family. There are some instances where steady summer farm employees would like to work in the winter months, but say they cannot afford it. Most farmers sympathize with that person's position, and won't report him.
>
> Could the Employment Service co-ordinate more closely with the Department of Public Assistance to place some of the more qualified unemployed on-farm jobs which are available? This is being done to some extent now, but it has been difficult to get a willing man on relief to perform the winter farm work. If a man taken off the relief rolls would earn less than he would have received not working, could the Department of Public Assistance make up the difference? This program might involve more routine for the Employment Service and Department of Public Assistance personnel, but there could be an overall saving to the state. If, for example, 20 men were placed in such a way each week (20 is a normal daily shortage of prunes, according to the Yakima Farm Labor Office) those 20 men might need $50 additional to raise a hypothetical pruning wage from $250 per month, to a Public Assistance payment level of $300 per month. This example would save the state about $1,200 per week, or $5,000 per month. With such a saving, couldn't such a program be administered? This would give some unemployed individuals pride of accomplishment. It would also improve the image of the Employment Security Department, and the Department of Public Assistance by the positive approach to filling the farm job vacancies at a period of the state's highest unemployment.

Chapter 3.—Education and child welfare

1. We agree that there should be further educational opportunities for children of migrants. This basic approach should help them qualify for more stable and, therefore, more remunerative employment. In some sections of the state it has been extremely difficult to get children of migrants to take advantage of educational opportunities offered. However, such educational measures deserve a strenuous effort.

2. Recommendations that English study be emphasized for Latin-American migrant children and that remedial instruction be offered are sound proposals worthy of execution. So, too, are the recommendations that school districts experiencing a heavy influx of migrant children should receive additional state funds. Special assistance through the milk program and the National School Lunch Program are likewise worthy suggestions, as is the recom-

mendation that inter-state educational record systems should be strengthened and expanded.

3. Further expansion of day-care centers for migrant children in Washington State is probably justified, although migrants in the Puyallup area told farmers they were not pleased with that locality's program. The objective of providing adequate numbers of day-care centers and related Head Start programs would appear a sound recommendation because future improvement of the typical migrant family's existence would seem to lie in encouraging better health and education for migrant children. Our observations show a need for larger facilities in some localities, but we feel poorly attended day-care centers should be closed.

4. Basic education and vocational education programs for migrants should be in the spring to prepare them for that season's work. We feel those programs are beneficial, especially to the Spanish-Americans, in training them for job skills within the region where they are being educated. Beginning the program in the fall after harvest would discourage the migrant from moving to his next crop or to his more permanent residence in the south or southwest, and might create an increased impact on the current State welfare programs throughout the winter. The program should be handled through State and local boards of education and should utilize local people familiar with the subject matter. Farmers should assist as advisors and instructors since they can best communicate the importance of farm work to the student, and can co-ordinate instruction with farm co-operators in on-the-job training programs.

Chapter 4.—Housing and sanitation

1. Housing would not seem to be a basis for drastic complaints according to our analysis of Consulting Services Corporation's study. We feel that private sectors deserve the most criticism, since there has been little relative improvement of rental units available to migrants compared with the great improvements currently being made by farm employers. Granted, there are some farm labor camps which fail to meet health standards of the State and Federal government, but enforcement by existing agencies has been forcing those camps to improve or to become abandoned. We do not feel there needs to be an enlarged enforcement agency regulating farm housing to the extreme of enforcing single dwelling regulations. When a farm has one or two dwellings, they are most often used by year-around help. Those dwellings are maintained at a relatively high level by most employers because that is necessary to retain that class of employee.

2. Local presentations this summer by Consulting Services Corporation to community groups hearing their review of the Study revealed their recommendations for hot and cold running water in each migrant living unit. That recommendation was not included in detail in their final summary. We wish to remain on record of the fact we do not believe it is feasible to have hot water in each living unit since the experience where that is available indicates abuses of that privilege by the fact hot water is often left running when not in use. Such abuses leave the central hot water storage low of heated water which is needed at the end of the day when there is a big demand for showers and washing.

3. The housing recommendation suggesting a rent subsidy program for migrants has a discriminatory aspect, we feel, because it is hard to comprehend how authorities could favor migrants who wish to winter in a community by offering them rent subsidies, but not offering the same advantage to other low-income families in the area who may also do seasonal work.

4. The recommendation that Title I of the Housing Act of 1965 be amended to provide FHA financing for the following:

A. Migrant workers who wish to purchase mobile homes and remain in the migrant stream,

B. Migrant workers who wish to purchase homes and settle out of the migrant stream, and

C. Individual growers who wish to build new housing or improve existing housing for migrant workers,

would appear to be justified. We understand from FHA officials that "C" is currently possible.

Chapter 5.—General recommendations

We agree that regulations affecting drivers' licenses and car licenses of migrant workers should be modified. It seems proper to extend the same privileges in Washington as have been given migrants in Oregon and California. However, we feel safety requirements must be enforced with migrants, as with the local population, as violations of those requirements are observed in spot inspections by the State Patrol.

We agree there is a need to help those in a poverty class, whether they are potential farm workers or simply under-privileged from lack of education and indifference. We do not feel the migrant labor within the State of Washington needs the involvement of so many agencies of the State and Federal government as now appear to be concerning themselves with those agencies. We feel that one State agency or co-ordinating council can be given this responsibility of co-ordinating the efforts of existing State and local divisions of government within our State. The existing State agencies should improve their communication with the migrant farm workers who are in need of programs and assistance currently available to them. Community action centers should only serve to inform what State agencies can provide to help migrants, but those centers should not continually attempt to duplicate existing State or local service.

Respectfully submitted,

Washington Agricultural Producers Council: Green Giant Company, Rowe Farms, Inc. (Naches), Stadleman Fruit Co. (Oroville and Yakima); Cahodas-Lancaster-Frank, Inc. (Yakima); Washington Asparagus Growers Assn. (represents Washington's 400 asparagus growers); Perham Fruit Corporation (Yakima); Brewster Co-operative Growers, Underwood Fruit and Warehouse Company (Bingen); Del Monte Corporation (formerly California Packing Corp.); Harris Orchard Co. and Mad River Orchard Co. (Entiat); Snokist Growers, Inc. (600 Yakima district fruit growers); Washington State Farm Bureau; Wells and Wade Fruit Co. (Wenatchee); Washington State Apple Commission (represents Washington's 5,000 apple growers); Washington Growers Clearing House Assn. (represents 2,200 North Central Washington growers); Crane and Crane (Brewster), and Washington Hop Commission (represents Washington's 225 hop growers).

Washington State Fruit Commission (represents Washington's 500 soft fruit growers); Prosser Packers, Inc., Prosser; Puyallup Valley Berry Growers (Charles Bond, representative); Central Washington Farm Crops, Assn. (represents 500 diversified Columbia Basin); Ellensburg, and Southeast Washington farmers; Washington Oregon Canning Pear Assn. (represents 832 Washington Pear growers); Washington Cattlement's Assn., Ellensburg; Yakima Growers-Shippers Assn. (represents 79 Yakima district fruit handlers).

Migrant Living Conditions

A BRIEF REPORT

(By A. Ludlow Kramer, Chairman, Urban Affairs Council)

A nine-hour visit to an area with a problem does not make one an expert on that problem. Meetings with those directly involved in the same problem does not make one an expert. Reading the available research on this same problem does not make one an expert.

Personal visits, meetings, and research—all these combined help make one an expert. But if one then claims to be an expert, he is still making a false claim. One has to live with the problem day in, day out, year in, year out.

I do not claim to be an expert on the problem of migrant living conditions. I have personally visited *one* area where migrants live. I have had meetings with *many* of those directly involved with these living conditions. I have read *some* of the research available on the subject. But I have not lived with the conditions for even one whole day.

I do not claim to be an expert. However, this does not negate the genuine concerns which I have and which we all must have.

> Concern for a large group of people who are no better off than they were in the thirties.
>
> Concern for a people whose problems are being compounded because automation is eliminating many jobs and because nature plays cruel tricks on supply and demand.

Concern for their children who receive probably the most inadequate education of any minority group.

Concern for these same children who are in many cases undernourished and in need of medical attention.

Concern for a group of people who are being exploited by some.

Concern for their housing for which government in some areas assumed the responsibility and then essentially refused to be responsible.

Concern for those from this group who cannot afford even public or private housing and must find refuge along river banks.

Concern over the lack of cooperation between different levels of government, between various governmental agencies, and between private and public agencies.

Concern for a certain lack of services which can and should be provided by various agencies, local, state, *and* federal.

Concern for those increasing numbers of employers who have taken responsibility both on their own ranches and in the community. Unfortunately, even those who have taken repsonsibility are blamed when in many cases actually the government is to blame for the irresponsibility.

As chairman of the Urban Affairs Council and as a state elected official, I decided to visit the Yakima Valley to gain insight of a problem which was troubling many. In seeking solutions to urban problems, often the core area of our cities has drawn official attention. From out of the hills and valleys of our rural areas, however, come our mountainous core city problems. If we can pay some attention to those people who will likely move to the big urban areas seeking the supposedly better life, then perhaps the problems they, and the city to which they move, face will diminish.

During my visit to the Yakima Valley, I had the opportunity to tour several areas where migrants were living: The Ahtanum and Crewport Farm labor camps, a private camp at Buena, river banks at Parker Bridge and Zillah. I met with local personnel from Public Assistance, Employment Security, and the Office of Economic Opportunity. I met with local growers. I met migrants themselves and a couple of graduate students living among the migrants. I even visited briefly with a member of the Sheriff's Department. And finally, I talked with the local press who widely covered the tour.

Since my visit, I have met with the directors of Public Assistance, Employment Security, the Governor's Office of Economic Opportunity, the Governor and members of his personal staff, and over the phone, with Yakima legislators. I have also met with the growers association and am now meeting with the Migratory Labor Subcommittee to the Governor's Committee on Health, Education, and Welfare. Finally, I expect to bring this matter to the attention of the Urban Affairs Council.

I have been gratified to note some significant recent developments. Whether they are the direct result of an admittedly publicized (sometimes this is necessary) tour and the various meetings which have taken place is immaterial. The fact remains that a positive shift in attitudes toward migrants in at least one community is taking place. Furthermore, officials in this community are beginning to take positive action. Finally, state agencies changed some of their policies immediately and have promised to look at further changes.

As newspaper accounts and the programs emanating from *both* television stations on migratory living conditions indicate, the news media of Yakima is becoming increasingly concerned. As they should be, they are a prime reason for much of the attitudinal shift in the community.

The county commissioners have created a local "blue ribbon" committee. The express purpose of this committee will be to seek on the local level long range solutions to the problems of migratory labor. They will be particularly concerning themselves with housing conditions. Several local state legislators in conjunction with the state director of Public Assistance were responsible for lowering the amount of cash needed to purchase food stamps and to move the prestamp program ahead 30 days. One local legislator is the prime mover behind a public health grant for three nurses.

During the past few years as Urban Affairs Coordinator, I have had one thing continually come home to me. There is no single solution to a complex problem. It demands a multitude of solutions.

The problem of migrant living conditions is complex. There has been some action taken to solve it. Much more will have to be taken.

The State Department of Health might use its influence and if necessary its powers to alleviate the poor health conditions prevalent in migrant living areas. Personnel and medicine should be readily available to the migrants. The medical profession can be of great assistance in this program.

The State Department of Public Assistance might consider the possibility of sending personnel to migrant living areas. Funds are apparently available for anyone without the basic needs of food, clothing, and shelter. However, many migrants are unaware of this fact.

The State Department of Labor and Industries should reevaluate the bonus program. This program allows farmers to withhold a certain amount from their workers paycheck and then pay the worker a bonus upon completion of the harvest. In too many instances, the migrant worker is rarely around when the bonus supposedly becomes available. The farmer then collects all of the unpaid bonuses.

The State Department of Employment Security should have personnel readily available in migrant living areas. They should make contacts with migrants and advise them on employment opportunities. Further, there is an apparent need for some very simple training. For instance, lettuce thinning jobs were available the week I visited. It takes thirty minutes to train a lettuce thinner. In several cases the farmer refused to hire untrained lettuce thinners. In these cases, Employment Security could satisfy a real need by having ready a short training session. At the conclusion of the session, the successful trainees could receive a card indicating their skill.

The Federal Farmers Home Administration distributes propaganda advertising self-help housing loans available for migrants. An increasing number of migrants are settling down and leaving the stream. Apparently many of these migrants are having difficulty obtaining these loans. There is some evidence that the local FHA offices have not dealt fairly with the migrant.

The Federal Department of Health, Education, and Welfare and/or the Office of Economic Opportunity might explore the problem of providing day care for those migrant children who arrive after the summer has begun. The OEO has fulfilled a genuine need by providing day care for migrants. Unfortunately, there is no room in existing facilities for the children of "late-arriving" or "short-staying" migrants.

All agencies of government—federal, state, and local—should respond to the plight of the migrants in the same manner as was done with those who live in Seattle's Central Area. Obviously a multi-service center would be impractical, given the vast area in which the migrant lives and the fact that he obviously moves a great deal. However, personnel knowledgeable of the functions and services of *all* public *and* private agencies might be hired to make contact with migrants at all points where they arrive. Migrants in need of services normally supplied by some agency can be directed to the appropriate one by these individuals.

The State Department of Parks and Recreation and the State Department of Natural Resources might jointly establish public camp grounds specifically designed for migrants. Many migrants bring tents and trailers. Admittedly, most of the latter find exceptions and those with tents have had to camp by river banks. These places are dirty and unhealthy. Campsites on state owned property could be built which include hot and cold running water, showers, restrooms, paved driveways, and recreational facilities. Furthermore, these campsites could be designed in such a manner that hunters could use them in the late fall.

The Governors of the Western States should consider the formation of an interstate compact on migrants. Obviously no single state can adequately provide all the services which are needed by the migrant. The most obvious needs exist in the area of education. As automation continues to eliminate unskilled and semi-skilled agricultural occupations, retraining becomes an increasing necessity. Before retraining can be undertaken, however, adult literacy education is required. Unfortunately, the migrant cannot afford to remain in an area long enough to complete such a course. Migrant children are also suffering from an inadequate education because they are continually transferring from schools. Mobile schools which follow the normal migrant streams is a possible solution. An interstate compact on migrants might be the impetus behind solving the problem of migrant education and other problems where the solutions involve two or more states.

There will be others with their ideas and suggestions. My hope is that some one person or group will have the foresight to bring all of the numerous and various proposals together. A coordinated attack by public and private agencies with broad local cooperation and participation will be necessary if the living conditions of migrants are to ever be improved. We do not *need* more agencies. We *need* coordination of agencies and ideas.

[From Seattle newspaper, May 1968]

THE SHAME OF THIS VALLEY

For thousands of migrants who flock each spring to Eastern Washington, life isn't the paradise some people proclaim.

(By James Halpin)

YAKIMA.

To most tourists driving through the Yakima Valley this spring, the boast on the billboard along U.S. Highway 410 will seem more than justified. The valley's 25,000 acres of apple trees are in bloom now, and the warm winds are delicately scented by their pink and white blossoms. Along the banks of the Yakima and Naches rivers, fishermen are enjoying the trout runs, and on Yakima's five excellent golf links, well-to-do businessmen and farmers talk about the crops on which the valley's 200,000 inhabitants depend.

Barring an untimely freeze, the crops are generally good, for the valley's volcanic ash soil, its 300 days of annual sunshine and its ample supply of irrigation water provide some of the best growing conditions to be found anywhere. Indeed, Yakima County has more fruit trees and grows more apples, hops and mint than any other county in the U.S. Small wonder, then, that the Yakima valley is dotted with substantial homes and that it is able to support such amenities as a race track, a ski resort and a surprising number of better-than-average restaurants.

But not everyone in the valley leads the good life of which the billboard boasts. Living in starkly contrasting conditions are those who harvest the crops that provide all the well-being—the migrant workers.

Every year, some 40,000 migrants pour into Washington State, harvest its crops and depart. In the Yakima Valley, this stream starts in late winter with a trickle of workers seeking jobs as pruners in the hop fields. In early spring, the trickle turns into a rivulet as work in the beet and asparagus fields becomes available; in late summer, it swells to a maximum of 8,000 workers when the fruit is ripe for picking. This month, the swell has already begun.

In this state, no one better fits the description of "invisible man" than the migrant worker. Last August, however, the public was made aware of his existence in an unexpected and dramatic way when 5,000 migrants arrived in the valley before the fruit was ready to pick. Alerted by Office of Economic Opportunity aides, a Seattle newspaper dispatched reporters to the scene who sent back stories reminiscent of *The Grapes of Wrath*. Among other things, the articles reported that some of the migrants were sleeping in cars along mosquito-infested riverbanks, that many had no food and were short of clothing, and that some needed medical attention.

The stories drew immediate reaction. Church and service organizations throughout the state collected and sent truckloads of food, which were duly distributed, and Governor Evans dispatched Secretary of State A. Ludlow Kramer to the valley.

Of the area's 120-odd camps, two of which are owned by the county and the rest by farmers or private landlords, Kramer visited only a few in his whirlwind, one-day tour. But though Kramer's glimpse was a superficial one, his experience in the valley proved that it is going to take far more than publicity—and charity—to solve the migrants' deep troubles. One incident, in particular, brought the situation sharply into focus for the official from Olympia—with tragi-comic force.

"Kramer decided he wanted to talk with one of the migrants living along the banks of the Yakima River," says Lee Lucson who, as director of the Yakima Valley Council for Community Action, is head of the area's war on poverty. "So," continues Lucson, "we took him to see this guy who was living along the river with his six kids in an old, burnt-out school bus. The place was incredible—no toilet facilities, of course, and excrement covered with flies all over the place. I could see that Lud was a little shocked, but he stuck out his hand and said, 'Hi, I'm Lud Kramer, your secretary of state. I just came down to see what your problems are.'

"Well, the guy just looked at Lud because, of course, all it took was two eyes to *see* what his troubles were. Furthermore, he didn't know the difference between a secretary of state and a game warden.

"Anyway," Lucson goes on, "he told Kramer he'd rather not talk with him, because if he did, the sheriff was sure to come down and evict him. Well, Kramer was still trying to convince the guy that he wouldn't let anything like *that* happen when a deputy sheriff drove up with an eviction notice. Kramer was really embarrassed at this, especially when he failed to talk the deputy out of serving the papers. He finally resolved the situation by paying the migrant's rent for two weeks at a labor camp."

Despite his good intentions, Kramer's visit was, if anything, viewed as a great misfortune by the migrants, for after he had chatted with another 20 families who were camped along the Yakima, they, too, were ordered to move along by Sheriff Burt Guns—a retaliation, apparently, by Yakima County for the unfavorable publicity that Kramer's tour generated. Though Kramer himself has remained deeply concerned about the plight of the migrants, he hasn't, so far, been able to do anything to improve their lot.

The final irony of last summer's campaign to help the Yakima migrants was the reaction of the workers themselves. Writes Steven S. Webster, one of six U.W. anthropology students who prepared a report for the OEO on migrant life in the valley:

"The food and clothing distribution . . . was looked upon [by the migrants] either as an opportunity for free goods, or as a wasted effort on behalf of freeloaders and winos. . . . The photographers, reporters, television newsmen and visits of the Governor's staff . . . were seen as occasions for shame or indignity, or the prelude to further denigration from the community and growers. . . . To sum up, the migrants had not met with spontaneous public concern often enough to recognize . . . what it was."

Unperceptive as the migrants might have been, they were, nonetheless, correct in foreseeing one consequence of the public concern—the hostile reaction of valley residents:

"In the following weeks [Webster reports], local dailies ran editorials reemphasizing residents' opinions that migrants' poverty was due to shiftlessness and drunkenness. Abuse was also renewed from Yakima teenagers who cruised through Rambler's Park (a labor camp) at 2 or 3 a.m. calling insults and throwing rocks; 'fruit-tramps' sleeping beneath nearby bridges . . . slept more closely together in fear of renewed visits from young city toughs, who sometimes visited such locations to rough them up."

Ill will toward migrants is not the province of merely a handful of juvenile delinquents. A statewide survey in 1966 taken by Consulting Services showed that, in Washington, 42 percent of the residents of agricultural communities held unfavorable attitudes toward migrants. In fact, only 4 per cent were favorable, and 53 per cent were noncommital. It is not surprising, therefore, that migrant workers limit their contact with the outside world as much as possible—and that many of them have insulated themselves behind a shell of fierce pride.

One sign of this proud insularity is, as Webster noted, the migrant's scorn for anyone who accepts welfare payments. There may well be, though, a measure of bitterness in this general feeling, for the fact is that few migrants are even eligible for the welfare rolls because of the requirement that a given recipient must have lived three out of the past five years in the state.

Welfare is not the only form of government aid denied to the average migrant. Both unemployment and workman's compensation are entirely beyond his reach, for state laws specifically exclude agricultural workers from these benefits.

In the Yakima Valley the effect of these regulations is vividly revealed by the case of Mrs. Lelan Cowan, a 37-year-old divorcée who lives with her nine children in a two-room shack located in a field just outside the Ahtanum County Labor Camp. Here are the facts of the Cowan family's present life:

Instead of beds, a half-dozen grimy mattresses are strewn on the floor. The only plumbing is a sink cold-water tap; the single-seat outhouse is in back. "The house ain't much," apologizes Mrs. Cowan, "but it's all I can afford. I haven't been able to work because I haven't got my strength back yet. I just had 80 per cent of my stomach cut out because of ulcers."

The Cowans have been living in the valley since they migrated from California last summer. (Unlike most migrants, they spent the winter in the valley.) Ineligible for welfare, Mrs. Cowan's only income is a $50-a-month allotment—of this, $45 goes for the rent—which she receives from a son in the Army. The only other source available to her is the Federal food stamp program.

"That's a pretty good deal," she explains. "When you've got nine kids, you can get $90 worth of food for $3. Of course, since I haven't got even *three* dollars, I have to borrow it from a friend, and I pay her back in food. The main trouble is that you can't buy soap with the stamp, which makes it pretty hard to keep the kids clean, especially the 17-year-old who's got cerebral palsy. He con't control his bowels, and I have to keep him in diapers. They keep trying to get me to put him in an institution, but I won't. As long as I'm alive, this family is going to stay together."

Besides her own children, Mrs. Cowan is also sheltering, and "supporting," a friend of her eldest son—a 24-year-old migrant named Don Owens, who is unable to work because he recently broke his arm in a fall from an apple tree. In return for his room and board, Owens, who has an old car, drives the family wherever they need to go. "Migrants," he says, "take care of each other."

Not long ago, John Steinbeck remarked that the migrants' lot has not improved substantially since he wrote *The Grapes of Wrath* 29 years ago. In Washington, the average migrant is probably less burdened than Mrs. Cowan, but he still lives in conditions that are literally murderous. According to OEO statistics, the migrant's life expectancy is 55 years, as compared with 70 years for Americans as a whole. Moreover, if the migrant is Mexican-American—as are 44 per cent in this state—his life expectancy is only 38 years. The high rate of infant mortality among migrants accounts in large part for these figures, but the heart of the matter is income: here, the average annual income of a migrant family is $2,300, or one-third that of the average Washington family.

In the valley, farmers contend that they cannot afford to pay the migrant enough to lift him above the poverty level. They point out that migrants in Washington average $1.52 an hour—far above the federal minimum wage of $1.15 an hour—and that the reason his income falls below the poverty level is that he is unable to work all year round. The Consulting Services study shows that, to bring the migrants' income up to state average, the growers would have to pay them $4.50 an hour in wages, plus 20 percent in fringe benefits. Quite correctly, these farmers insist they cannot do so and still compete with other growers in the nation.

Nevertheless, it is undeniable that Washington farmers could do far more than they are presently doing to improve the migrants' lot, and that, in this particular valley, the treatment of migrants has been especially shameful. In the 30's, for example, labor organizers who tried to unionize valley farm workers were beaten—sometimes even tortured—and run out of the county along with those who listened to them. *Ill Fares the Land*, an authoritative account of the situation in 1942 by Carey McWilliams, concluded that migrants received worse treatment in Yakima County than in any other part of the nation. Since then, some growers have indeed gone to considerable expense to provide decent housing and improved working conditions.

Too many others, though, not only fail to upgrade the living quarters for migrants, but seem bent on exploiting them in a number of devious ways. One of the cruelest methods used by some growers to reduce the migrants' already pitiful wages is called, euphemistically, the "bonus system." It works this way: the grower withholds up to 15 percent of the migrant's wages, and if the migrant stays through the season, he gets the 15 per cent back; if, however, he leaves before then—as he must often do to be sure of getting a job on the next crop—the grower keeps the 15 per cent. Moreover, a common complaint among workers is that they are cheated out of their "bonus" by farmers who fire them on some trumped-up excuse just before the season ends.

Another pernicious practice is the "labor contractor" system which, in essence, forces the migrant to pay for his own supervision. In this system, the farmer turns the task of recruiting and supervising his field workers over to a labor contractor. The grower pays the labor contractor, who in turn pays the workers—but often after taking a healthy cut for himself out of each migrant's wages.

Recruiting trips can also be profitable for the labor contractor. Given money from a farmer for transporting recruits into the state, the contractor has the option of spending as much of the transportation money as he wishes—and keeping what is left over for himself. If he is particularly greedy, the trip back from the recruiting region—often the Southwest—can be a terrible nightmare for the migrants.

One such trip involved a contractor who was transporting migrants from Arizona to Toppenish, a small town 20 miles from Yakima. The story is told by a former OEO aide who had been hired as the driver of the truck belonging to the contractor (who here will be called "Louie"):

"It was March," says the aide, "and the guys in back were freezing because there was only a canvas over the bed of this old truck. Louie [the contractor] hadn't given us any money for food," the aide continues, "and we were practically starving. I had three bucks, but I spent most of that buying cookies and stuff for a family that was broke and had six kids.

"It was really miserable. Louie wouldn't even trust us with gas money, so we had to follow behind his car, and the only time we ate on the whole trip was when we lost Louie and ran out of gas. A couple of guys who didn't have any family responsibilities went out and shoplifted a roast and some bacon which we cooked by the roadside. I think it saved some lives, because some of those people were awfully sick.

"That Louis," continues the aide, "was so tight he wouldn't even replace a tire that blew out on the rear dual wheels. From Arizona to Boise, I had to drive all the way with a flat tire that made the truck weave all over the road, and the only reason he got a new tire in Boise was because the wheel got bent out of shape. When we finally got to Toppenish, Louie just dropped us off at a labor camp—with no food or money—and said he would be back for us the next day. We didn't wait for him. I went out and signed up the whole crew with another contractor."

The labor contracting system is an example of *conscious* exploitation of the migrants. More prevalent is the kind of abuse that stems out of plain thoughtlessness on the part of employers.

Very few farmers in the valley, for example, provide portable toilets in the fields, with the result that male and female migrants have to urinate and defecate among the crops or in drainage ditches—a procedure that is not only embarrassing to them but dangerous to the consumer.

Far more serious than such petty affronts to the migrants' dignity, however, are the severe shortcomings of their living quarters. Of the privately-owned camps in the valley, several can be described as "just livable." The bulk of them, however, would be better for housing animals than human beings.

Even more inadequate are the two county-run camps. During the peak summer and early fall months, they house around 1,000 migrants in ramshackle cabins which, today, stand as monuments to the indifference of Yakima County officialdom.

Twelve by 15 feet in area, the cabins have undergone virtually no improvement since they were built 28 years ago. Roofs leak and dust from the surrounding fields blows through the cracks in the cedar walls.

In furnishings, the cabins are all but barren. Each contains these "amenities": a tiny wood stove (which ironically bears the tradename, "Pride"), two folding chairs, several metal bedsteads without mattresses and a single naked lightbulb suspended from the ceiling. Facilities for water supply and garbage disposal are, if anything, worse. Running water is obtainable only from an outside spigot—one for every 14 cabins. The spigot is located in a garbage bin which also contains four garbage cans. These, too, must serve the 14 cabins, and the resulting overflow of garbage is often allowed to sit in the bins for days at a time.

Even more revolting are the toilet facilities, which are located in four buildings at the back of the camp. Built nearly 30 years ago, they are completely dilapidated. Water pipes leak, the toilets frequently do not flush, and when they do, they tend to leak around the base. Cleaning, which is done by two camp employees, consists of a hosing down five times a week, which does little to remove the floor slime.

Augmenting the generally unsanitary conditions is the senseless policy governing use of shower rooms in the latrine buildings. Closing time for the showers is 6:30 p.m., when many of the workers have not yet returned from the fields, and 8 a.m. is opening time—well after most of the migrants have left for work.

Furthermore, migrants can be evicted from their houses at any time—and with no legal formalities whatever.

"In Ahtanum, written notice of eviction was not served on tenants [states the OEO report]. Tenants were threatened with arrest if they were not gone by a certain date. If they did not leave, they were arrested for trespassing."

Thus, the average migrant in the county camps will endure just about anything. To complain about his living conditions might incur the wrath of the manager—and possible eviction—and for a family on a tight budget, eviction can be disastrous, since the county cabins rent for $3.50 a week, while cabins in private camps cost roughly $9.50 a week.

To outsiders, of course, the camps are a shocking mess. Apparently, however, county officials are inured to such sights as children sleeping on rags because they have no mattresses, or babies covered with flies because repairs on the torn screens have not been made. "Once," says Sam Martinez, an OEO official, "I went before the Housing Authority commission to ask them to do something about the unsanitary conditions. Half of them weren't even paying attention. They were too busy listening to the World Series."

Typifying the officials' view of things is a statement made recently by Dr. Leland Harris, a Yakima County health officer. As Harris saw it, there was "nothing particularly wrong" with the camp's sanitation, and, he added with a hopeful note, there have been "no epidemics so far."

THE COUNTY SERVES AS SLUM LANDLORD

The county's excuse for not bettering living conditions is that the county has no money to do so. But the fact that the county stands to profit handsomely from its role as, in effect, slum landlord. Built in 1939–40 by the U.S. Department of Agriculture, the camps were sold to the Yakima County Housing Authority in 1948 for only $75,000—their estimated value at that time was $500,000—on the agreement that they be used to house agricultural workers until January, 1970. Since then, the Yakima County Housing Authority has borrowed $41,000 from the county general fund to keep the camps afloat, claiming that they have lost money during four out of the last five years. Even so, however, the county can hardly complain that it got a bum deal: after all, the property it acquired 20 years ago for only $75,000 is now worth well over $1 million.

Moreover, OEO officials seriously question whether the County Housing Authority is, in fact, losing as much as it claims. Although the Authority is loath to let anyone inspect its books, SEATTLE obtained a financial statement for Crewport Camp, located near Granger, that tends to cast suspicion on the accuracy of the Authority's accounting. Though the statement shows that the camp lost $510.47 in the first six months of last year, it also reveals that the camp management chalked up $2,950.62 to depreciation on equipment; this figure seems excessive, if for no other reason than that cheap metal folding chairs were depreciated at $3 a year, a 1952 pickup at $119.40 and a 1948 pickup at $60.

OEO officials also have their doubts about the Housing Authority's business acumen in leasing to a private farmer, for only $300 a year, more than 50 fertile acres on property at Crewport Camp. These officials claim that the property should bring in at least $2,000 a year and that a tidy sum has thus been lost during the nine years the farmer has rented it. (The rental itself is a flat violation of the quit claim which the County Housing Authority signed in 1948 with the U.S. Department of Agriculture. It stipulated that the "grantee shall not sell or lease the real property herein above described except to a public or semipublic agency or any nonprofit association of farmers.")

Behind the whole indifference of the Housing Authority toward the camps, say some observers, is the intention of housing officials to sell them after 1970. For their part, Authority commissioners have denied having any firm plans, and last summer, they appointed a committee to study the future use of the site. Though the committee recommended that the migrant camps be perpetuated once the present cabins and facilities had been torn down and rebuilt, it did not say how the money for this construction could be obtained. As a result, critics of the Housing Authority have charged that the establishment of a study committee was just a delaying tactic.

On the surface, such tactics would seem to be good strategy for those officials and farmers who oppose improving the migrants' lot, for studies show that the trend toward mechanization in the farm industry will reduce the demand for migrants by anywhere from 5 to 40 percent in the next decade. Meanwhile, however, there still remains the possibility that agricultural workers in the Yakima Valley will succeed in organizing a union—perhaps one connected with the grape-picker unions that have been striking in Delano, California, since 1965.

Right now, two bills are before Congress, proposing legislation which the farm lobby is trying its best to keep bottled up in committee. Among other steps, the bills would strike the words, "except agricultural labor," from the National Labor Relations Act, thus granting the farm worker the legal right to organize.

A similar battle is being fought here in Washington, where the State Labor Council is pushing for legislation that would not only permit farm workers to unionize, but would also bring them under the coverage of unemployment and workman's compensation. (Another cause for hope is Governor Evans's recent appointment of a migrant labor advisory committee, which will study the problem and make recommendations for action by the state government.)

Perhaps the powerful farm lobbies in Olympia and Washington, D.C., will succeed—as they always have—in killing any legislation designed to help farm workers. Nevertheless, they cannot hope to succeed indefinitely, for there are signs that the migrant himself may be waking up from his long-standing apathy.

So far, no serious effort has been made to organize workers in the valley, but local farmers are looking askance at a United Farm Workers Cooperative store which opened in Toppenish last year. The manager and main driving force behind the store is Thomas A. Villanueva, a slim, moustached Mexican-American with a jovial manner that belies an almost fanatical determination to alleviate abuses with which he himself is all too familiar.

One of 13 children, Villanueva immigrated to the U.S. from Mexico in 1957. That year, the family made the tortuous journey to Washington in the back of a labor contractor's truck with 17 other migrants, many of whom were hungry and sick. Once in Yakima, the family started working in the fields at starvation wages.

"Things were getting pretty bad, but then we had a bit of luck," recalls Villanueva. "The labor contractor died, his wife took over the crew, and our wages immediately went up 20 cents an hour. Fortunately, the contractor had died before he'd had a chance to tell his wife what a big hunk of money he was holding out of each worker's pay."

Villanueva, now 26, denies the contention of local farmers that he is secretly organizing a union behind the facade of a co-op. "This spring" he says, "our purpose is to stretch the farm worker's dollar, provide him with low-cost life insurance, explain to him what his rights are, and keep him informed on political issues and the importance of registering to vote."

The co-op itself works in this fashion: for $5, each agricultural worker receives one share in the store, and this share entitles him to buy co-op goods (at prices about 10 per cent cheaper than those in town), to elect officers and to vote on such matters as how to use the profits.

"The importance of the co-op," says Villanueva, "is that the farm workers organized and paid for it themselves. Doing this without help from the outside has given them confidence, and now they're beginning to talk about what else they can do for themselves. Even though this valley doesn't know it yet, it's in for some big changes."

But underlying Villanueva's air of confidence is a certain note of philosophic sadness, for he is well aware that the migrants' problems are among the oldest and most ignored in the U.S., and that they are not going to be solved by the co-op alone. Above all, Villanueva knows that, for the migrant workers, it will be a long, long while before the valley becomes, as that billboard boasts, "a great place to live and work."

Mr. VILLANUEVA. Numerous recommendations have been made, but neither county nor State officials have done anything about it. Among the recommendations given by Consultant Service Corp. was included a summary of findings taken from their report.

The following was their findings, concerning community attitudes:

The Community Attitude Survey was designed to determine the attitudes of community leaders about the migrant worker. The study revealed that large proportion of the respondents (42 percent) was unfavorable in their attitude toward the migrant. Few of the respondents had favorable attitudes (4 percent), but there was an even larger group of respondence (53 percent) who appeared somewhat vague about their attitudes toward the migrant and chose to remain neutral.

Migratory farmworkers because of their mobility are not residents of any State, but rather residents and citizens of the Nation. The attitudes of the community give you a sense that to be a migratory farmworker means to be un-American. But can community attitudes be blamed when State, Federal officials, and even the law of the land treats them as an un-American?

I thank you for hearing our plight. The day will come hopefully with your help when farmworkers can share the wealths of its Nation. Yes, we hope that soon the day will come when farmworkers can be called Americans and be treated as such.

Senator MONDALE. Thank you, Mr. Villanueva, for a very useful statement. In view of the questions, we will print it in its entirety at this point.

(The prepared statement of Mr. Villanueva follows:)

PREPARED STATEMENT OF TOMAS A. VILLANUEVA, DIRECTOR OF UNITED FARM WORKERS COOPERATIVE, INC., TOPPENISH, WASH.

Mr. Chairman and members of the U.S. Senate Sub-Committee on Migratory Labor. My name is Tomas A. Villanueva, I am the Director of the United Farm Workers Cooperative, Inc., an organization dedicated to alleviate the economic and social problems of Farm Workers. Our address is P.O. Box 655 in Toppenish, Washington.

It is indeed a great privilege for me to address this body of concerned individuals. Yes concerned individuals who seem to be favorable to stop treating farm workers of this nation as if they were not members of this great union that is the United States of America.

The problems of Farm Workers are many and are problems that existed for past generations. Not problems of today. The awareness to these problems, the awareness to find solutions to these problems is of today not of yesterday.

[Yakima Morning Herald, Aug. 15, 1933]

"Regardless of any grivance these Individuals may have against society, we assert that their misfortune does not belong to us." Statement by a committee of Farmers.

After many years of suffering injustces and abuses. After many years of waiting for state and national legislators to do something about giving equal protection to farm workers as it is taken for granted by other Industrial workers. Farm workers have become restless and decided to lead their own destiny. The battle has just begun throughout the nation and certainly the Yakima Valley, State of Washington is no exception.

[The Seattle Times, July 21, 1968]

YAKIMA VALLEY.—A rural revolution is sweeping through this farm rich valley. Unsettling changes are threatening a way of life that has become traditional, generation after generation. Effects of this agri-revolution are social, cultural and political. But the changes themselves are being pushed along by economic conditions; farm owners and farm workers both believe themselves caught in a confusing cost-price squeeze. The immediate result of the rural revolution is historic confrontation in the valley. On one side are most of the growers. They are joined by much of the political and governmental power in a country whose history is one of conservatism, defending "the way things have always been." Challenging these defenders of the status quo is a new coalition. It includes migrant farm workers led by younger men who are not content to work at "stoop labor" for pay which averages below the federal minimum wage for all other laborers. Spearheading this group is the United Farm Workers Cooperative.

Housing has been an issue, and it has been the County Housing Authority, the one that provides the worst Housing. County Officials, growers and the Yakima Herald have constantly claimed that farm workers are satisfied with the type of Housing that is available; However last year a Labor Camp Improvement Council was organized and demanded to the County Housing Authority not to fix the Housing, but at least to provide the materials and they would do the labor. The materials never arrived. (This particular Council was formed of Migratory farm workers.)

Early this Summer when the man that was the chairman of the mentioned Council arrived, he was told by the Camp manager that they didn't want any agitators, and for him to go some place else. This is a typical attitude towards farm workers whenever they intend to better their working conditions.

Private organizations along with the State Council of Churches and State Labor Council and the United Farm Workers Cooperative, have been putting pressure to the state Board of Health. After much struggle, the Board of Health came out with one of the best housing codes than any labor camp might have.

The results had been an organized effort from the growers to have those regulations changed. A bill to change the regulations to apply only to new housing, but not for existing Housing was passed by The State Congress and Senate; and fortunately Governor Daniel J. Evans vetoed the Bill; However, the State Health Board is now going to a series of hearings in order to change the regulations.

Growers in an attempt to force a change in the regulations have gone as far as burning shacks, shacks that should have burned 20 years ago.

"Orville Ormiston, Fruit grower, burned the last of the Farm Labor Housing on his home place in Wiley Heights Wednesday and joined ranks with other farmers who have destroyed Migrant living quarters in the past year.

"I hope the health department has some place to house the people who come here to work in the harvest."—Yakima Herald, May 29, 1969.

Mr. Orville Ormiston happens to be the Yakima County Farm Bureau President. See attached copy so that you can see the type of shacks Mr. Ormiston is burning.

In the Summer of 1968, the Yakima County Health Board applied for a Migrant Health grant. A grant of $30,000, $15,000 of which were for salaries and $15,000 to be spent among the many health needs of the migratory Farm Worker; the impact of such a program was not felt on the basis that the last $15,000 of the Budget were returned to the Federal Government as "funds not needed," According to the Yakima County Health Board.

This year County Health Board is going ahead with a similar proposal. One nurse and two or three sanitarians to visit labor camps. The work season started 3 months ago and the Program hasn't started. A group of organizations and a doctor have been drafting a health proposal with mobile clinics, members of these organizations include farm workers and ex-farm workers; However County Health Board is opposed to any proposal that won't come from their office. And they are aaginst any recommendations from the poor. And the State Health Board which seems to be sympathetic to the problems of the farm workers have no authority over its County Boards, except for advice.

Employment Security Departments are part of the Migratory Farm Workers problems. Employment offices recruits vast number of out of state workers without even trying to recruit locally resulting in overwhelming groups of workers. This gives the benefit to the grower and to the labor contractor in reducing wage prices. The unfortunate part is that once a farm worker is in a labor camp, even the Employment Security Officials are unable and in some cases don't care about the working conditions of the farm worker.

Last year I had one case which is a good example of the attitudes of the Employment Security towards the grower and the farm worker.

Farm worker, family of eight: "Tom, we have been working with a grower in Harrah all week, and after we finished, he refused to pay our wages."

I asked the family, "Did you find that job yourself or did someone refer you there?" Family: "We were referred by the local Employment Office. I then called the Employment office and explained to them the situation, the answer I received was "I am sorry Tom, that man is a pretty Big Bird." This upset me very much and told them, "since when does a state agency afraid of one grower."

Employment Security finally decided that they were going to do something about it. But this was up to the Department of Labor and Industries. Labor and Industries takes from one week to 3 months to come and look into the matter, they told me. The amount owed to the family was over $300.00 and they were counting on that money to pay their payments and buying groceries for the following week. We decided to go and talk to the Grower. His argument was that "he didn't like the work they did." However, the grower was with the workers every day of the week and never mentioned about being dissatisfied with the work. It took a discussion of more than four hours, but he finally paid every cent he owed to the family.

These are typical action from Employment offices just as typical of Employment offices to recruit labor for labor contractors. Unfortunately the one to blame is not the growers but our own government. Since they have appointed an "Advisory Board" to State Employment Security.

A Board composed strictly of Agri-Businessmen. And of course Employment Security is not the only source for growers to obtain their labor, prisoners in some cases happen to be a cheap labor pool accessible to the grower.

"The Yakima Valley labor pool is being supplemented with the help of eight County Jail prisoners who are being freed ahead of their release dates to help harvest the crops.

"County Prosecutor Lincoln Shropshire said today he prepared orders for release of eight men from the County Jail. Their release was requested by Moxee area hop growers. Yakima Herald, August 29, 1967.

It is often said that Education will be the salvation of Farm Workers, so the Employment Security has been conducting a series of MDTA (Manpower Development Training Act Programs). Programs which in paper have been a great success, but to the farm worker, it has been disastrous, not because the programs are bad. But because people have been pulled out of agriculture, trained for 2 or 3 months (have their hopes high) and then come back to do exactly what they were doing before the training and at the same hourly wage. Certainly we know that there is a need for training, but not the type that Employment Security offers.

Worst of all are the attitudes of teachers and School Boards towards the Migrant worker. Last winter because of bad weather, most migratory farm workers who are beginning to settle in the Yakima Valley. Where unemployable, many had to depend on the State Department of Public Assistance (Maximum Grant in Washington is $325.00). As a result of this and because many parents were unable to pay their children's lunches at 30¢ and 35¢. I should mention that many families had from four to nine children in school. A group of parents asked our local School Board, not to give free lunches, but to apply for the Federal reduced School lunch program so that they could afford to pay 15¢ and 20¢ a day per child. The School Board refused to do it on the basis that they were not a welfare agency; However parents continued coming to School Board meetings with the same request, and getting the same response.

[KIMA–TV Editorial, Mar. 25, 1969]

At least some Toppenish citizens must be acutely embarrased by the outright foolishness of their school Board in the handling of the program for reduced price lunches.

It is perhaps a signal of the extremity of the Toppenish Boards position that the other districts with large numbers of low income students . . . including Yakima, Wapato, and Sunnyside moved quickly to assure the best for their students that available resources would provide. Superintendent Moses said today "It is not right of the State to tell the Board what to charge for school meals. . . . Asserting that they should "Not Dictate To Us." Against that should be balanced the blatant disregard of the Toppenish Board for the help the reduced price lunch program would have provided for the parents of some 40 percent of the students whose "Welfare" is their responsibility.

In 1966, Consultant Service Corporation conducted a $250,000 study on Migrant Workers in the State of Washington. For the State Office of Economic Opportunity (OEO), another study was done by the Bureau of Community Development, University of Washington in 1967. And a third study was made by American Civil Liberties Union, in the Yakima Valley in 1968.

Numerous recommendations have been made, but neither County or State officials have done anything about it.

Among the recommendations given by Consultant Service Corporation was included a summary of findings.

The following was their findings, concerning Community Attitudes:

A SUMMARY OF FINDINGS BY CONSULTING SERVICES CORP.

"The Community Attitude Survey was designed to determine the attitudes of Community leaders about the migrant worker. The study revealed that large proportion of the respondents (42 percent) was unfavorable in their attitude toward the migrant. Few of the respondents had favorable attitudes (4 percent), but there was an even larger group of respondents (53 percent) who appeared somewhat vague about their attitudes toward the migrant and chose to remain neutral."

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Community give you a sense that to be a migratory farm worker means to be an un American. But can Community attitudes be blames when state, Federal officials and even the law of the land treats them as an un-American.

I thank you for hearing our Plight. The day will come hopefully with your help when farm workers can share the wealth of its nation. Yes we hope that soon the day will come when farm workers can be called Americans and be treated as such.

[From Yakima (Wash.) Herald, Thursday, May 29, 1969]

FRUIT RANCHER BURNS LAST OF CABINS FOR MIGRANT LABORERS

Orville Ormiston, fruit grower, burned the last of the farm labor housing on his home place in Wiley Heights Wednesday and joined ranks with other farmers who have destroyed migrant living quarters in the past year.

"I hope the health department has some place to house the people who come here to work in harvest," Ormiston observed as he sloshed fuel on the tinder dry cabin, the last of five which he formerly offered rent free to pickers and thinners in his orchards.

Last week at a meeting in Yakima, a Quincy farmer said he had made ashes of seven cabins on his place. Two weeks ago, hop growers meeting in Yakima reported that some of their group had burned from two to eight such living quarters.

Ormiston, with the aid of an employe, Les Markham, who has been with the orchardist for 12 years, went about the job of clearing out the final "Young's cabin" in mid-morning Wednesday.

Young's Cabins were a popular type orchard and ranch seasonal housing unit right after World War II. Thousands were sold throughout the Valley but under new Health Department rules they are considered inadequate.

"They weren't much," Ormiston observed, "but we never had complaints. Our problem was to keep too many people from sleeping in one. Three Mexican nationals used this cabin last season, and two others slept in the shower room." He said all were men.

At one time there was a cluster of cabins around the concrete block modern shower facility. Now there are none, yet the shower facilities with separate quarters for men and women will continue to be used as a cleanup spot for orchard workers.

Yakima County's sanitation director, Sterling Throssell, said that with reports such as this coming out of the Valley "we expect something pretty decisive to come from the June 5 meeting of the State Board of Health at Olympia."

Throssell said an explanation is expected of just what is meant by the "go-easy" memorandum which Dr. Wallace Lane, director of the Health Department issued earlier this year in regard to the new housing regulations which went into effect last December.

The sanitarian said he does not know of any specific "burnings" of cabins or housing. "I've heard a number of stories, however," he said.

"I have been to all these places," he added in reference to on-farm and public farm labor housing. "But, we're not taking anyone into court at this time. We're kind of holding off."

He indicated that nothing is planned in the way of stringent enforcement until after the June 5 Olympia meeting.

Senator MONDALE. Can you tell us a little bit about the migratory farmworkers in the State of Washington? Are they mostly Mexican-Americans?

What kinds of crops do they harvest and help to produce?

Mr. VILLANUEVA. The Yakima Valley is divided into two areas. One is stoop labor, we will say, which comes in the lower valley of the Yakima Valley. These workers are mostly Mexican-Americans.

Senator MONDALE. They mostly come from California?

Mr. VILLANUEVA. Mostly from Texas. There are very few from California. That is how I came to the State of Washington myself.

Senator MONDALE. You are from Texas yourself?

Mr. VILLANUEVA. I am originally from Mexico, but I have my home base in Texas.

Senator MONDALE. Are you in Texas in the winter?

Mr. VILLANUEVA. Not any more. I have lived in the State of Washington for the last 12 years.

Senator MONDALE. Do you earn all of your income from farmwork?

Mr. VILLANUEVA. I am now employed by the United Farm Workers Organization, but my parents are still farmworkers.

Senator MONDALE. How many migrant farmworkers do you have in Washington?

Mr. VILLANUEVA. An average of about 20,000.

Senator MONDALE. What are the main crops they work?

Mr. VILLANUEVA. Beets, sugar beets, tomatoes, peas, potatoes, and then the tree crops such as apples, cherries, pears, peaches. Those are the major crops in the Yakima Valley. Then the workers go over to the coast for strawberries and green beans.

Senator MONDALE. Do you know what an average migrant family earns a year?

Mr. VILLANUEVA. It is on an average of $2,300.

Senator MONDALE. In other words, let us take a husband and wife and five children. The husband, say, is 35, strong, still young, and he is a farmworker, and he can still do piece work and work hard when he is doing it.

What can he and his family expect to make in the course of a year?

Mr. VILLANUEVA. I would say not over $3,000, on the basis that farmwork is not an every day thing. Some of them work 2 or 3 days and run out of work and spend 2 or 3 days looking for work.

The other basis is that even if they were working steady, they would only work for 7 or 8 months, and 9 at the most, and still be unemployed another 3 months.

Senator MONDALE. Is it hard to find employment other than farmwork.

Mr. VILLANUEVA. Yes, because of the mass influx of workers. There are too many farmworkers and too many are not able to find work. They work a few days and spend the other days looking for jobs.

Senator MONDALE. So a hard-working young man, with his family helping, too——

Mr. VILLANUEVA. Yes, in some cases.

Senator MONDALE. In Washington, how old must a person be to work?

Mr. VILLANUEVA. Sixteen years old.

Senator MONDALE. Is there some violation there?

Mr. VILLANUEVA. There is some violation. Some of the children will come and work at 4:30 in the morning and work until 7:30 and go back to school, and they come after school.

Senator MONDALE. They get up at 4 and work from 4:30 to 7:00 and then go to school?

Mr. VILLANUEVA. Yes, sir.

Senator MONDALE. You say you have a cooperative. Have you tried to organize a union?

Mr. VILLANUEVA. No, we know many things a union will do, but we do not consider ourselves a labor union. We try to push for legislation for the State and work on the every-day problems, and try to continually put pressure on the State departments, such as labor and industry.

Senator **Mondale.** To enforce the laws, housing, sanitation, working conditions and so on, that is what you are trying to do?

Mr. **Villanueva.** Yes.

Senator **Mondale.** How about your political power? You say there are about 20,000 farmworkers. How many of them vote? Do you have any idea?

Mr. **Villanueva.** We have very little voting. There are about 2,000 who are able to vote because many of them are not residents, even though they are citizens.

The other is that many, even if they are able to speak English, cannot read and write it, and according to Washington law you have to read and write the English language. The Mexican-American Federation carried this to court, and we lost the case on that basis.

Senator **Mondale.** So many migrants are not residents. Many of them find it difficult to understand and participate, and as a result, very few in fact do vote?

Mr. **Villanueva.** Yes, due in large part to the attitudes of the registrars who do not provide one set of tests. This is one thing we won the case on. The registrars give a different type of test to the persons who come to use their voting rights, and many of them would depend on how the registrar felt, whether he felt or she felt they understood enough English or not, and it was her personal judgment whether she felt they understood.

Senator **Mondale.** If there is anything like that going on, you should tell us immediately. The Civil Rights Commission would want to know about that.

Mr. **Villanueva.** We won the case on that part.

It was unconstitutional according to the State of Washington.

We have chapters throughout the State in every community where there are Mexican-Americans in our organization.

Senator **Mondale.** You say you are not a union, but have you tried to increase and improve your wages?

Mr. **Villanueva.** Yes.

Senator **Mondale.** What kind of efforts have you made there?

Mr. **Villanueva.** We have had a couple of strikes on the labor camps of the Del Monte Corp. Many of the people get restless about it, though, and rather than strike for 2 or 3 days, many of them decided to go back to Texas.

Senator **Mondale.** Were you able to get the salaries up, the wages up?

Mr. **Villanueva.** No, they never came up, because by the time this happened, there were already more workers arriving.

Senator **Mondale.** What you have found when you try to improve wages, is that there is always another worker around who desperately needs work to take the place of the strikers.

Mr. **Villanueva.** Yes.

Senator **Mondale.** So you have little power. Even though you have 20,000 people, you haven't been able to bargain for wages?

Mr. **Villanueva.** No, we haven't.

Senator MONDALE. And you have the difficulties in your local communities that you testified to in terms of treatment in schools and so on.

Senator Bellmon?

Senator BELLMON. Thank you, Mr. Chairman.

Mr. Villanueva, you mentioned the language problem you have in trying to qualify to vote.

Could you tell us a little bit about the acceptance that the children of the migrants get when they go up to the schools in the areas you work in, how language is a problem for them?

Mr. VILLANUEVA. In the last couple of years they have been conducting this program to help them, like a remedial school teacher. Unfortunately, many times there is still a bilingual problem, because the teachers do not speak any Spanish. They have bilingual aids, but never bilingual teachers.

Senator BELLMON. So the districts are making an effort, then.

Mr. VILLANUEVA. They are starting to make an effort on that basis, yes.

Senator BELLMON. Would you say that the children are accepted in the schools?

Mr. VILLANUEVA. Yes.

Senator BELLMON. Except that there is no free lunch available?

Mr. VILLANUEVA. They have seven districts, and they had 60 children. Those that wanted free lunch were put to work. They finally admitted the free lunch program after the State threatened to rescind the local school district's subsidy that they get for their regular school lunch program.

Senator BELLMON. I was trying to understand better educating the children of the migrants. You come to Washington from Texas to harvest asparagus?

Mr. VILLANUEVA. Yes.

Senator BELLMON. What month is that?

Mr. VILLANUEVA. Usually the people come the first of April. Many of them come early.

Senator BELLMON. Do they bring the children at that time?

Mr. VILLANUEVA. Yes.

Senator BELLMON. This means the children have been going to school in Texas up until April?

Mr. VILLANUEVA. Yes, 50 percent do send their children to school, and the other 50 percent do not, because they are only there a month or two.

Senator BELLMON. For those 50 percent who do not send their children to school, do those children then go back to Texas the next fall to start school?

Mr. VILLANUEVA. Yes, sir.

Senator BELLMON. Are they able to make their grades?

Mr. VILLANUEVA. Many have not, sir. That is one of the reasons our family settled down in the State of Washington. At that time my younger brother, who is in Vietnam, had gone to several schools. I told them I didn't want to go to school any more. I was 17 years old now, and it was just too much going to school.

My kid brother spent 3 years in fourth grade, not because he was dumb but because he never got to finish a particular year in a school.

We finally settled down so that the children would be able to go to school and finish their education.

Senator BELLMON. If a group of migrants came in to harvest asparagus, would this cause overloading in the local public school?

Mr. VILLANUEVA. Unfortunately, that is another problem, and since you asked me this question, I would like to discuss it.

The growers, in most cases, do not allow anyone, whether it is from the school district or from the employment security or any of the community action organizations, to come into the labor camps and explain to the farmworkers the opportunities that are available and try to offer help whenever they have any problems.

We have been thrown out of the camps by the managers of the camps, by the supervisors of the corporations and the growers. They do not allow anyone to come into the labor camps to explain the services that are available in the community.

This is why one of the major problems of farmworkers is that they do not know where to go when they have problems or what services are available.

Senator BELLMON. So many of the students don't realize, then, that they could go to school in the local community?

Mr. VILLANUEVA. Yes, sir.

Senator BELLMON. What month do the migrant workers generally return to Texas?

Mr. VILLANUEVA. Usually in October.

Senator BELLMON. And the schools in Texas begin in September, and this means the children are a month behind when they start?

Mr. VILLANUEVA. Yes.

Senator BELLMON. Do the children start to school in Washington before they return to Texas?

Mr. VILLANUEVA. I would say about 50 percent. Many of them who go to school in Washington are the same ones who will go to school when they go back to Texas.

Senator BELLMON. Then the migrants live in Texas from October to April?

Mr. VILLANUEVA. Until the last part of March.

Senator BELLMON. Would you give the committee an estimate of what percentage of the children attend school in Texas?

Mr. VILLANUEVA. I can't give an exact percentage, sir.

Senator BELLMON. Could you make an estimate?

Mr. VILLANUEVA. I could keep on saying the same 50 percent sir.

Senator BELLMON. In Texas, is there an effort to bridge the language gap? Do you have bilingual teachers in Texas?

Mr. VILLANUEVA. I haven't been in Texas for the past 12 years, sir. I know about the State of Washington because I work on the everyday problems of the farmworker who comes to us for help, but I do not know about the State of Texas.

Senator BELLMON. Do the migrants work in Texas in the winter?

Mr. VILLANUEVA. Some of them, yes. We used to work picking carrots and onions in the early part of the year, and we used to pick cotton. I don't think they need us any more. There are too many machines now.

Senator BELLMON. So the reason, then for going back to Texas is partly to find work. Are there other reasons?

Mr. VILLANUEVA. They have their homes there.

Senator BELLMON. If I might, would it be fair to say that Mexican-Americans have a very close family life?

Mr. VILLANUEVA. Yes.

Senator BELLMON. And this is a time to get back together again.

Mr. VILLANUEVA. They have relatives back there, and they go back so they can stay with the rest of the family.

Senator BELLMON. One other question.

I am interested in the type of your organization, the United Farm Workers Cooperative. I belong to the farm cooperative, and mostly we are concerned with the marketing and buying of supplies that we use.

Is yours primarily a service cooperative?

Mr. VILLANUEVA. A service cooperative and also a grocery store. In a sense, we are a business and social action organization. We are very interested in making the business a success, because that is our base, that is where we can operate.

We manage to make enough profit so that we can operate our business. It is privately funded, through $5 shares of the members.

It is also a grocery store to try to give reduced priced groceries to the farmworkers.

Senator BELLMON. This is only a possibility, but would your organization be able to provide educational opportunities for the children of the migrants if you had the resources?

Mr. VILLANUEVA. Yes, and we are constantly working and trying to improve the OEO programs. We are working for example, on basic education programs through the winter months, and we are trying to do everything we can.

Senator BELLMON. Thank you very much.

Senator MONDALE. Would you tell us, how far did you go in school?

Mr. VILLANUEVA. I went to the sixth grade.

Senator MONDALE. How many schools did you attend in the course of those 6 years of education?

Mr. VILLANUEVA. Four schools, sir.

Senator MONDALE. Four schools?

Mr. VILLANUEVA. Yes.

Let me explain a little bit, so you can understand.

In Mexico, I went to the sixth grade. I finished my school in Mexico. In Texas, I went to school for 2 months. I went and picked tomatoes, and they put me in the third grade, and from then I was put in the fourth grade, then in Arizona I was put in the fifth grade.

I went 13 years, and I only stayed for 2 years. But, also, I have gone to college. I did not finish high school, but I passed a comprehensive test.

Senator MONDALE. Has there been any effort to coordinate your efforts in Washington with the Farm Workers Organization in California, or the AFL–CIO, or other efforts?

Mr. VILLANUEVA. No, there has been no effort. We do support the United Farm Workers Organization Committee, AFL–CIO, and we have been helping in the boycott of grapes, but as far as our association, there has not been any effort, and we do not want to do anything until the farmworkers themselves say, "We are ready and we want to join it."

Senator MONDALE. Do the other migrants find that when they were called to, say, harvest asparagus, that there is a tendency to get them there a little early, and they sit and wait for the harvesting to begin, in part because they want to make certain the workers are there when the crop is ready to be harvested, and as a result you might wait several days at your own expense?

Mr. VILLANUEVA. Yes, on an average of 2 weeks.

Senator MONDALE. Sometimes you have had to wait 2 weeks?

Mr. VILLANUEVA. Yes.

Senator MONDALE. Do you sometimes find the State employment services go down and encourage people to arrive at a certain time?

Mr. VILLANUEVA. They encourage people to be here by at least the first of April, but the harvest does not start until the 12th or 13th of April.

Senator MONDALE. So they have workers up there, and if they want a job, they have to get there by April 1?

Mr. VILLANUEVA. Yes.

Senator MONDALE. At their own expense?

Mr. VILLANUEVA. The grower will loan them money to come to the State.

Senator MONDALE. But they have to repay it?

Mr. VILLANUEVA. Yes.

Senator MONDALE. And they have to sit down a couple of weeks. Why can't a person show up on April 13?

Mr. VILLANUEVA. Because they would not be sure whether they would be there or not, sir.

Senator MONDALE. So there may not be a job. They have to come 2 weeks before the crop begins, and before they can start earning money?

How do they keep themselves alive during those 2 weeks?

Mr. VILLANUEVA. We try to help them through the food stamp program, and if they do not have the money, the cooperative tries to help them financially with the food stamps.

Senator MONDALE. Are there other crops when workers are asked to appear long before the time for harvest?

Mr. VILLANUEVA. The others get started when a big influx of workers are already there. It used to be his hopes, sir, but that is not any longer true.

Senator MONDALE. Thank you very much, Mr. Villanueva, for your very fine statement. You have helped the subcommittee explore the State of Washington area, which is important, since we have explored other areas as part of our effort to understand the scope of this problem.

Our next witness is Elijah Boone, of Pahokee, Fla., and Mr. Lloyd from Opa Locka, Fla.

STATEMENTS OF ELIJAH BOONE, PAHOKEE, FLA., AND NEWLON LLOYD, OPA LOCKA, FLA.

Mr. Elijah Boone, of Pahokee, Fla.

Mr. BOONE. Gentlemen, before I start my statement, I have a comment that I feel I must make. It is something that has been worrying me while I have been here these 2 days, and I feel I must express it.

Senator MONDALE. By all means.

Mr. Boone. I have noticed yesterday and today that some of these witnesses have come as far as 3,000 miles to be here, and that everyone who has testified so far has, in all sincerity, been expressing what they felt.

What I want to say is that I question the sincerity of the subcommittee. I have been here 2 days, and I haven't seen many Senators. I have only seen two, and I understand a subcommittee must consist of at least seven or eight members, and I wonder if this isn't just wasted effort.

What are we to gain by talking to one man? There have been times when you were the only one present, and it doesn't seem like anybody is interested in what we are doing. We might as well have stayed at home.

Senator Mondale. Let me point a few things out.

I have 14 subcommittees that I am a member of. Usually, there are two or three meeting at the same time. Yesterday, for example, at 11 o'clock, the Senate was in session. There was a bitter floor debate going on over there about the Chief Justice of the United States, so some of the members were over there, necessarily.

Some of the Senators have their staff members here who report to them fully on what is going on. Other Senators, for example, Senator Williams of New Jersey, who is chairman of the Labor Subcommittee—has been chairman of this committee for 8 years, and strongly believes in the cause of farmworkers. It is however, difficult to understand, and I think your point is well taken with respect to some aspects of this problem, but I don't think you can conclude from the attendance here that there is a lack of interest.

In addition, everything you say is in the record, will be reviewed very carefully, will be used as the basis for analyzing and developing legislation, and I find it very, very useful, and I appreciate your comments.

Mr. Boone. Mr. Chairman, and members of the subcommittee, I would like to express my gratitude for the opportunity to appear before you to relate to you some of the grievances of my people through personal experiences suffered by me during my many years as a migrant.

It is my sincere hope that after I am heard, you might be a little more enlightened and a little more able, and a little more eager to press for more decent migrant legislation.

All migrant workers, without regard to race or color, are continually subjected to illegal discrimination by their employers, landlords, governmental agencies, places of business, and even other members of their own races.

Even the word "migrant" has become a dirty word. It is deplorable that we work under the most depressing conditions for ridiculous wages, but we are, in addition, subjected to this special discrimination—adding even greater burdens on the lowly harvesters of this Nation's crops. We are dejected and unwanted except at harvest time. No one claims us as citizens of his community or members of his society.

I have been in caravans, riding on the backs of open trucks covered with tarpaulin on voyages that took as long as a week to complete, and during the whole voyage being denied the use of a bathroom or being unable to purchase hot food—maybe because we were black, or maybe because we were migrants.

In most communities we cannot register and vote because of residency requirements. We live in the shadow of society.

Thousands of agricultural workers in Florida labor their entire lives in the fields with no hope of promotion, higher wages, or better working conditions. Agricultural work is considered to be one of the most dangerous kinds of work in the United States, yet this kind of work is exempt from the workmen's compensation laws in Florida and in most other States.

In the areas from which I come, there is no such thing as equal employment opportunity. Labor camps containing blacks, Mexicans, or Puerto Ricans breed only fieldworkers, whereas labor camps containing Caucasians breed only bosses and foremen. These camps are segregated.

We have always been subjected to unfair trials and fines in the courts, especially on the municipal level. Police brutality is an accepted part of life.

There is no pesticide law to assure the laborer of maximum protection during its application. During the past year, in this area alone, there have been numerous cases involving pesticides that cause death. Yet no one seems concerned.

In the glades area of Florida, the power structure refuses to sell land to agricultural laborers, especially black people, for use as homesites. They wish, by this and other means, to perpetuate the downtrodden condition of our people and maintain the present economic and power gap in order to insure a captive work force. This is evident by the lack of industry in the area.

Senator MONDALE. You live in Pahokee, but as I understand it, this is a community where you and many others have lived for generations, and few, if any of you, have been permitted to buy land on which to build your own homes. Is that correct?

Mr. BOONE. There is a total of seven homes owned by blacks in the city—seven.

Senator MONDALE. Seven?

Mr. BOONE. Seven.

Senator MONDALE. And yet the blacks have lived there for a number of years?

Mr. BOONE. They were there practically before the white man. They were there back in the thirties, when the land was first opened up.

Senator MONDALE. Proceed.

Mr. BOONE. New industry would be available in our area, but those in power will not take advantage of these opportunities because it would offer competition to them in the form of higher wages and more humane working conditions. They even import foreign labor while our people go hungry in the summer and early fall.

The reason for so much resistance from those in power is obvious. In the future when machines will be able to do the jobs that the migrant now does and there is no more use for him, no one wants him hanging around, being a liability to his society.

It was pointed out in Immokalee, in a recent hearing that the migrant is considered a national citizen and has no claim on any particular community. This kind of conception prevails throughout the

South. We are constantly being conspired against, for we have no control over our lives. We have no control over the laws that govern us or the people who make and administer them.

The prejudices that I have experienced are by no means centralized. I, as a migrant, have at one time or another experienced almost indiscriminately the same injustices in every State between and including Florida and New York.

In almost every State, highway patrolmen lay in ambush waiting for the migrant caravans to prey on them and drain from them whatever small savings they might have in the form of fines.

It all seems to be a part of a national conspiracy to keep us on the lowest level of human existence on this continent. Time and again I have searched for a reason for being so intimidated. As yet, I have found none.

In the State of Florida, there are many Federal, State, and local programs aimed at helping the migrant, but a great number of these programs are "phonies." Others are ineffective.

Because of the bureaucratic way in which these programs are presented, they do not inspire the interest or trust from the migrant necessary to help him. The programs do not consider his idiosyncrasies.

Instead they give away a few dollars that are supposed to satisfy its recipient, but does nothing to remove us from this vicious cycle and help to raise us up to being individuals with self-respect, pride, and human dignity.

Therefore, there is no understanding. More often than not, these programs do not contain enough flexibility to stay where the migrant is, as he moves about over the country, harvesting the crops. So we end up with programs consisting of (in most cases) middle-class individuals, receiving middle-class salaries to do a job that they either cannot or will not do, and we, again, are left without consideration.

We, the migrants, live in fear, because we have been indoctrinated with it. We live in shame, because we are treated as the scum of the Nation. And we live in hopelessness for experience has shown us that there is no road open to us except back to the field.

There are approximately 87,000 of us in south Florida. It is now time to start northward. I am hopeful that all of this testimony did not fall on deaf ears and that we will be considered in future legislation.

Thank you.

Senator MONDALE. Elijah, we have heard thus far this year on this committee mostly Mexican-American migrants.

Can you tell us a little bit about where Negroes in Florida migrate, and what kind of crops they work in, and how much they earn in a year, and so on?

Mr. BOONE. The Negro migrant usually travels the eastern seaboard, from Florida to New York. He doesn't usually go any further north than New York.

The ones from Florida go up the eastern seaboard, and the ones from Mississippi and Louisiana go up in the middle States.

Senator MONDALE. What sort of crops do you harvest?

Mr. BOONE. In Florida, we harvest almost every field crop imaginable, from potatoes, beans, corn, and all the leafy vegetables, excluding, possibly, sugarcane, because they import the people for sugar harvest.

Senator Mondale. You have flowers down there, too, don't you?

Mr. Boone. Yes, flowers—almost anything imaginable. Tomatoes, any field vegetable.

Senator Mondale. Then you go North. What do you harvest in the North?

Mr. Boone. If you go by area, the chief crop is celery, sweet corn, and the leafy vegetables—cabbage and escarole.

When the sweet corn crop is harvested in south Florida, they go to central Florida. From there they go to North Carolina and South Carolina.

Senator Mondale. What do you harvest there?

Mr. Boone. They have sweet corn in North Carolina, but the crops are mainly tomatoes and potatoes.

They have cherries, too.

Senator Mondale. Perhaps we can hear from Mr. Lloyd and question them together.

Mr. Lloyd. My name is Newlon Lloyd. I am a former crew leader.

I am grateful for this privilege to address this body. I would like to take a few minutes to tell the subcommittee, as best I can, how the world looks from where the migrant worker stands or, as is more often the case, from where he stoops.

First, migrant workers in Florida belong to one of three minority groups—there are the Negro, the Mexican-American, and the Puerto Ricans. Because our society has not yet accepted a person born into these groups as full fledged members of the human race, they consider themselves outcasts from society—members of a lower order to which much is denied and little given.

Years of living in such an environment has conditioned many workers to accept their station in life in a slave-like fashion. They believe that life will not change for them or their children and that the best course to follow is the one that makes the least number of waves.

We are told there is a shortage of farmworkers in America. What we have not been told are the reasons. The fact is that conditions under which too many of them must work are a disgrace. This has been brought to focus during the many years I have worked on the farm.

I have found widespread evidence of exploitation, I also found some rare examples where the farmers and crew bosses were following the law. I also found laborers too often worked for what crew bosses and farmers chose to pay them.

There were no minimum wages, no concern for safety, little evidence of decent housing for migrants and their families who are brought here from distant places. Being close to the situation, I believe there are enough laws but not enough enforcement.

In spite of the effort of social and church-related agencies, too many workers still are not informed of their rights and are easy exploitation prey by unscrupulous bosses.

The time is long overdue for responsible citizens and agencies to demand strict enforcement of the law.

Do the migrant workers provide the food for our Nation's tables? Yes—despite his vital role in putting food on the Nation's tables, he is hard put to provide for himself. Why?

Migrant workers are caught in a circle of exploitation. The system which he labors under is outdated. Therefore, it works against him. I can best illustrate this system by telling you how it works.

First, I want to go into the waste of labor through poor scheduling.

One. Crews are often rushed to the fields only to wait for periods up to 4 hours for the crops to dry.

Two. A small field, assigned to a crew, which can be completed when the day is half over causes workers to often refuse to move to another field.

Three. Long distances between fields when a move is necessary during the day frequently discourages workers who are only paid for what they pick.

Four. In some cases fields have to be prepared before workers can begin picking. If such work is not performed in advance and the crew must wait until it is done, they lose more time.

Waste through poor planning:

One. Because of failure of lunch wagons to appear, workers either have to work on empty stomachs or make trips to small food stores to buy food at extremely high prices.

Two. The failure to provide boxes on occasion means that the crop is stacked on the ground. Later workers have to load the crop necessitating a second, and unpaid, operation.

Senator MONDALE. Is this often true, that they are unpaid for the later repacking?

Mr. LLOYD. Yes, unpaid.

Senator MONDALE. When I was in California, I spoke to farmworkers who complain that they pick table grapes, and after the day's work is over, they spend 2 or 3 hours a night repacking, at their own expense.

Mr. LLOYD. This is the case.

Three. The nonappearance of the weighing truck means that the crew has to remain after the field has been picked until the crops can be weighed.

Waste through poor equipment:

One. Buses unable to start.

Two. Buses break down en route to or returning from the fields.

Three. Breakdown in packinghouse equipment.

The burden of labor waste is placed directly upon the migrant, for the time wasted is time which he is not reimbursed.

Most of this labor waste should be blamed on the farmer himself.

Next, Mr. Chairman, I would like to go into the recruitment situation, exploitation in the recruitment system.

During the fall of the year representatives of northern growers tour the South, particularly Florida, to contact crew leaders for the next summer's harvest. This system of labor recruitment enables the crew leader to exploit the farmworkers under him in the following ways:

One. Once aboard the crew leader's bus the farmworkers are at his mercy. The trip north usually takes about 5 days.

Two. The crew leader loans money to his crew at the rate of 25 percent interest.

Three. The farmworkers are dependent upon crew leaders for meals, lodging, and even liquor, cigarettes, and soda water at a cost that you and I would refuse to pay. All liquor and wine sold in outlying labor camps by crew leaders is sometimes double the store price.

Four. Costs charged to farmworkers for meals and lodging are excessive.

Five. A good deal of the money earned by farmworkers ends up in the crew leader's pocket—all deducted from his wages. It is not uncommon for a farmworker to return to Florida having nothing to show for a summer's work.

Six. Social security taxes are always withheld even though not reported to the Social Security Administration and in some cases the crew leader never asks for the farmworker's social security number. One man worked for 40 years as a farmworker and when farmworkers were covered, his earnings were taxed.

Yet at his death in 1968, his widow was told that he had not accumulated enough quarters' credits.

In another case, a crew leader shot a farmworker when he was asked why the social secuirty tax was withheld but the farmworker's social security number had not been obtained. Our social security system of reporting works only when the actual employer is responsible for this.

The eastern seaboard migrant stream needs at least 25 inspectors instead of the one who will be working this summer. Crew leaders have altered names, numbers, and wages earned in order to keep the social security taxes withheld.

Senator MONDALE. What they are doing, then, is telling the worker that they are withholding social security payments, but they are pocketing that money.

Mr. LLOYD. Yes.

Senator MONDALE. And the employee can no longer establish his eligibility, and the crew leader just takes that home with him.

Mr. LLOYD. Yes.

Senator MONDALE. Am I not right that occasionally the crew leader will take out more than the law will permit even if he were withholding for social security?

Mr. LLOYD. Very much, sir.

Mr. BOONE. I would like to clarify something on that before you go on.

You are blaming a crew leader for the work of the contractor. A crew leader cannot deduct social security. He has to be a contractor. A crew leader is paid to deliver a certain number of people for a price. He gets a salary.

The contractor is the one who takes the money. I wanted to make that distinction.

Senator MONDALE. Thank you.

Mr. LLOYD. Seven. Crew leaders and northern growers often contrive to get farmworkers out of the South and to the northern area weeks before the crops are ready for harvest to insure a full crew for the crew leader and the grower.

Eight. Crew leaders and farmworkers live under a double standard of justice: One standard for the crew leader, another for the farmworker.

For example, last year in New York State a farmworker was given 10 days in jail for supposedly raping a farmworker girl.

Mr. Chairman, I would like to add here that this young man was tried the same night he was supposed to have raped the girl. They claimed it happened about 12 o'clock that night, and at 2 o'clock that morning he was taken before the judge, Judge Wells, and tried and convicted without a lawyer or any jury system at all, and given 10 days in jail.

Senator Mondale. Ten years?

Senator Saxbe. Ten days.

Mr. Lloyd. A crew leader in Immokalee was asked to serve only 2 months in jail a year for killing his wife because he was too valuable as a labor recruiter for the growers.

Crew leaders are ignoring the Crew Leader Registration Act by leaving the Southern States in station wagons and private cars rather than labor buses. Thus, they claim to be units too small to be covered by the provisions of the act, while actually controlled by a single crew leader.

Therefore, we suggest a more orderly recruitment system be devised by the Labor Department, working with State employment service offices in which every grower, employer and user of farm labor must register his needs and his use of farmworkers. A uniform labor contract could be devised which would assure every farmworker of proper housing, safe working conditions, adequate wages and insurance coverage.

Thus, State employment service offices could become the chief recruiters of farm labor with a uniform contract benefiting all parties involved. This would eliminate the need for bad crew leaders. This would also result in a more efficient use of farmworkers and a more stable farm labor force.

Health conditions among farmworkers are deplorable. Syphilis, TB, and other communicable diseases are common in farm labor camps from Florida to California.

The present Federal Migrant Health Act which leaves initiation of the health service in the hands of local or State health units results in good health services in some States but poor health services in other States.

I would suggest that farm labor health services be administered by a Federal agency such as the U.S. Public Health Service. With portable clinics and utilization of local hospitals, farmworkers could be examined, treated, and issued a national health card yearly. Such an approach could make a real inroad into the health problems of the farmworkers for little more than what is now being granted to State and local health units.

Growers again this year have convinced the U.S. Department of Labor that a shortage of domestic farmworkers exists and thus offshore workers are needed. We see very little real evidence of such a shortage but rather that the introduction of offshore workers has greatly hampered the domestic workers and in some cases has resulted in foreign workers displacing U.S. workers in the labor camps and fields of this country.

With the foreign workers' arrival, harvesting prices for U.S. labor dropped. As a stable supply of labor was introduced, employers refused to negotiate prices to be paid to U.S. laborers.

In the citrus groves of Florida, the price to be paid for picking fruit was about 35 cents per box. As the season progressed, the trees and the fruit make it more difficult to earn a decent wage.

The U.S. laborers expected the price per box to increase but foreign workers coming in at a guaranteed price of 35 cents per box meant that the price stayed at the 35-cent level or even dropped for our own workers.

We do not believe that foreign workers were needed or justified. Companies meeting the qualification of the U.S. Department of Labor did not exhaust the available U.S. labor market.

We suggest that more restrictive qualifications be imposed upon companies requesting foreign workers. I was assured by an employee of the Florida Employment Service that U.S. workers could handle the citrus crop this year, yet he admitted that many Florida companies were busy getting themselves qualified by the U.S. Department of Labor to use foreign workers.

It was admitted by a foreign worker to me that when they arrived at the labor camp in Florida, U.S. laborers were evicted from the camp to make room for the foreign workers.

As I speak, many of my brothers and sisters in Florida are sitting on street corners and front porches all across central Florida, displaced by foreign workers they do not know, victims of a cruel profit-motive system they do not understand and being powerless to change things, they sit and wait.

Of course, we support the inclusion of farmworkers under the NRLA, but this is only the beginning of what is so desperately needed. Farmworkers must some day be assured of the rights of all other elements of our country's labor force including unemployment insurance, workmen's compensation, and minimum wage and hour laws and especially the protection from being cruelly displaced by the importation of foreign workers.

Thank you.

Senator Mondale. Thank you very much for your excellent testimony. We will print your entire statement in the record at this point.

(The prepared statement of Mr. Lloyd follows:)

Prepared Statement of Newlon Lloyd, Opa-Lacka, Fla.

I am grateful for this privilege to address this body. I would like to take a few minutes to tell the Subcommittee, as best I can, how the world looks from where the migrant worker stands or, as is more often the case, from where he stoops. First, migrant workers in Florida belong to one of three minority groups—there are the Negro, the Mexican-American and the Puerto Ricans. Because our society has not yet accepted a person born into these groups as full fledged members of the human race, they consider themselves outcasts from society—members of a lower order to which much is denied and little given.

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I have found widespread evidence of exploitation, I also found some rare examples where the farmers and crew bosses were following the law. I also found laborers too often worked for what crew bosses and farmers chose to pay them. There were no minimum wages, no concern for safety, little evidence of decent housing for migrants and their families who are brought here from distant places. Being close to the situation, I believe there are enough laws but not enough enforcement. In spite of the effort of Social and church related agencies, too many workers still are not informed of their rights and are easy exploitation prey by unscrupulous bosses.

The time is long overdue for responsible citizens and agencies to demand strict enforcement of the law.

Do the migrant workers provide the food for our nation's tables? Yes—despite his vital roll in putting food on the nation's tables, he is hard put to provide for himself. WHY? Migrant workers are caught in a circle of exploitation. The system which he labors under is out dated. Therefore, it works against him. I can best illustrate this system by telling you how it works.

WASTE THROUGH SCHEDULING

1. Crews are often rushed to the fields only to wait for periods up to two hours for the crops to dry.
2. A small field, assigned to a crew, which can be completed when the day is half over causes workers to often refuse to move to another field.
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4. In some cases fields have to be prepared before workers can begin picking. If such work is not performed in advance and the crew must wait until it is done, they lose more time.

WASTE THROUGH POOR PLANNING

1. Because of failure of lunch wagons to appear, workers either have to work on empty stomachs or make trips to small food stores to buy food at extremely high prices.
2. The failure to provide boxes on occasion means that the crop is stacked on the ground. Later workers have to load the crop necessitating a second (and unpaid) operation.
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EXPLOITATION IN THE RECRUITING SYSTEM

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4. Costs charged to farm workers for meals and lodging are excessive.
5. A good deal of the money earned by farm workers ends up in the crew leaders' pocket—all deducted from his wages. It's not uncommon for a farm worker to return to Florida having nothing to show for a summer's work.
6. Social Security taxes are always withheld even though not reported to the Social Security Administration and in some cases the crew leader never asks for the farm worker's social security number. One man worked for forty years as a farm worker and when farm workers were covered, his earnings were taxed. Yet at his death in 1968, his widow was told that he had not accumulated enough

quarters' credits. In another case, a crew leader shot a farm worker when he was asked why the social security tax was withheld but the farm worker's social security number had not been obtained. Our social security system of reporting works only when employers are responsible. The Eastern Seaboard Migrant stream needs at least twenty-five inspectors instead of the one who will be working this summer. Crew leaders have altered names, numbers and wages earned in order to keep the social security taxes withheld.

7. Crew leaders and northern growers often contrive to get farm workers out of the south and to the northern area weeks before the crops are ready for harvest to insure a full crew for the crew leader and the grower.

8. Crew leaders and farm workers live under a double standard of justice: one standard for the crew leader, another for the farm worker. For example, last year in New York state a farm worker was given 10 years in jail for supposedly raping a farm worker girl, while a crew leader in Immokalee was asked to serve only two months in jail for killing his wife because he was too valuable as a labor recruiter for the growers.

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Therefore, we suggest a more orderly recruitment system be devised by the Labor Department, working with State Employment Service Officers in which every grower, employer and user of farm labor must register his needs and his use of farm workers. A uniform labor contract could be devised which would assure every farm worker of proper housing, safe working conditions, adequate wages and insurance coverage. Thus State Employment Service Offices could become the chief recruiters of farm labor with a uniform contract benefiting all parties involved. This would eliminate the need for bad crew leaders. This would also result in a more efficient use of farm workers and a more stable farm labor force.

Health conditions among farm workers are deplorable. Syphilis, T.B. and other communicable diseases are common in farm labor camps from Florida to California. The present Federal Migrant Health Act which leaves initiation of the health service in the hands of local or State health units results in good health services in some states but poor health services in other states. I would suggest that farm labor health services be administered by a federal agency such as the U.S. Public Health Service. With portable clinics and utilization of local hospitals, farm workers could be examined, treated and issued a national health card yearly. Such an approach could make a real inroad into the health problems of the farm workers for little more than what is now being granted to state and local health units.

Growers again this year have convinced the U.S. Dept. of Labor that a shortage of domestic farm workers exists and thus off-shore workers are needed. We see very little real evidence of such a shortage but rather that the introduction of off-shore workers has greatly hampered the domestic workers and in some cases has resulted in foreign workers displacing U.S. workers in the labor camps and fields of this country. With the foreign workers' arrival, harvesting prices for U.S. labor dropped. As a stable supply of labor was introduced, employers refused to negotiate prices to be paid to U.S. laborers. In the citrus groves of Florida, the price to be paid for picking fruit was about 35 cents per box. As the season progressed, the trees and fruit make it more difficult to earn a decent wage. The U.S. laborers expected the price per box to increase but foreign workers coming in at a guaranteed price of 35 cents per box meant that the price stayed at the 35 cent level or even dropped for our own workers.

We do not believe that foreign workers were needed or justified. Companies meeting the qualification of the U.S. Dept. of Labor did not exhaust the available U.S. labor market. We suggest that more restrictive qualifications be imposed upon companies requesting foreign workers. I was assured by an employee of the Florida Employment Service that U.S. workers could handle the citrus crop this year, yet he admitted that many Florida companies were busy getting themselves qualified by the U.S. Dept. of Labor to use foreign workers. It was admitted by a foreign worker to me that when they arrived at the labor camp in Florida, U.S. laborers were evicted from the camp to make room for the foreign workers. As I speak, many of my brothers and sisters in Florida are sitting on street corners and front porches all across central Florida, displaced by foreign workers they do not know, victims of a cruel profit-motive system they do not understand and being powerless to change things, they sit and wait.

Of course we support the inclusion of farm workers under the N.L.R.A., but this is only the beginning of what is so desperately needed. Farm workers must some day be assured of the rights of all other elements of our country's labor force including Unemployment Insurance, Workmen's Compensation and Minimum Wage and Hour laws and especially the protection from being cruelly displaced by the importation of foreign workers.

Senator MONDALE. Senator Saxbe do you have any questions?

Senator SAXBE. No questions.

Senator MONDALE. Senator Cranston?

Senator CRANSTON. I would just like to express my thanks to you and others who have testified giving the picture that you are giving of the plight of farmworkers in the United States. I am sorry that I could not be here yesterday or all of today, but I have asked my staff to follow these hearings very carefully, because the sort of a picture that you are painting, all the problems that the farmworkers have in the United States are important not only in my State of California, but in Florida and in every State.

I am deeply sympathetic, and I will be doing all that I can to help solve those problems.

Senator MONDALE. Senator Hughes?

Senator HUGHES. No questions, Mr. Chairman.

Senator MONDALE. I am going to have a series of questions, and you can answer them singly or together, or however you wish to proceed.

How about discrimination in employment that exists in the area?

Do you find that there are some jobs in the farmworker fields that are prohibited as a practical matter from black employment?

We found in California, before the union got strong, a black or a Mexican-American was never able to drive trucks or handle tractors and so on. He had to stay in certain kinds of employment.

Would you care to respond to that?

Mr. LLOYD. Yes, Mr. Chairman.

The operation of citrus is handled by Negroes, picking from the tree, and bringing it all the way to the truck. Once it is dumped on the truck on the way to the packing house, it is handled by whites, all the way to the consumers.

Senator MONDALE. Do you have black truckdrivers?

Mr. LLOYD. No; not in citrus. It is lily-white from the roadside on. The black man only picks it and loads it on the truck.

Senator MONDALE. Is that still true today?

Mr. LLOYD. Yes; very much in citrus. We probably have a different situation where Mr. Boone is from.

Mr. BOONE. We have approximately 10 sugar mills operating, and the highest job that the black man can get is driving a truck, and this is an actual fact.

At a certain mill, a fellow went to work, and he asked a foreman, "How long will it be before I can work myself up to driving a pickup truck?"

He was told "As long as you work here, you will never drive one."

He can drive a tractor, or cut the cane, or do all the dusty work.

One mill used to have all black truckdrivers to haul the cane to the mill. Now, there are about 30-percent black and the rest are white. I think next year there won't be that many. They want the black man out in the field. They want him to inhale the dust.

As soon as the mills close, 95 percent or more of the crew that is left to run the mill is white. All the black labor is laid off immediately after the grinding season is over. No year-round jobs for the black men.

Senator MONDALE. What about farm labor camps, and the housing in those camps? Is there any segregation practiced there, or any preference in terms of choice and quality housing and so on?

Mr. BOONE. In my area, there are not as many camps as on the east coast of Florida. But in the camps that are there, those that have white laborers are completely white, and those that have black labor might be intermingled with Puerto Ricans, but they don't live in the same area, even if the camps belong to the same man.

Senator MONDALE. What would you say about the housing provided for the farmworker?

Mr. BOONE. It is deplorable. In the glades area—well, I can give you a specific example.

The Government built some housing in this area for emergency use back in 1942, and these same houses hold possibly more than one-third of the town's population, even though they have been condemned for about 8 years.

The housing authority took over this from the Government a long time ago, about 1947, and since that time they have not even put a coat of paint on the houses. They haven't done anything to them.

People are living there because there is no other place in the town to stay.

They have to live in condemned shacks.

Senator MONDALE. Is that situation getting any better?

Mr. BOONE. It is exactly the same as it was 20 years ago.

Senator MONDALE. Except that the house is older.

Mr. BOONE. Some of the people even buy their own paint and try to fix them up, so that they will at least be presentable.

The housing authority is supposed to be nonprofit.

Senator MONDALE. When I was in Immokalee, I was surprised at the filth and the sanitation levels, things which the tenant can't fix. You have to have plumbers to come in and fix it.

What about the sanitation conditions in this housing?

Mr. BOONE. You wouldn't believe it. You have to see it.

You actually wouldn't believe it. There is no sense in my telling you.

Senator MONDALE. I saw it. I don't want to go back.

Mr. BOONE. You didn't see the worst.

Senator MONDALE. I had to get out of where I was. I couldn't stand it.

Mr. Lloyd, talking about the question of the adequacy of the domestic farm work force: I believe this year, again, after a few years absence, they are bringing in foreign citrus workers.

Mr. LLOYD. Yes.

Senator MONDALE. The local workers were asked to leave the housing and their jobs would be taken by foreign citrus workers, I assume from the British West Indies?

Mr. LLOYD. Yes.

Senator MONDALE. Do you know how many they are bringing in?

Mr. LLOYD. 2,000.

Senator MONDALE. Of course, their argument is that there isn't enough domestic help to do the job. What would you say about that?

Mr. LLOYD. I am quite sure there are enough domestic workers to do the job. Actually, citrus growers in Florida have a way of holding the price back.

When their fruit gets better, and they expect higher prices in the summertime, instead of paying higher prices, the growers hold back, and the workers hold out for a bigger price.

Once the workers start holding off for a bigger price, the growers then start bringing in the offshore workers, so it is necessary that the workers hold out for a higher price, because there is a real difficulty in earning decent wages when the fruit is bad and the trees are bad.

They are not able to work as long hours in the summertime as in the wintertime.

This outdoor sweatshop you work in is very hot, and a man can only go at least, I would estimate, about 6 hours good time, and you get tired.

Senator MONDALE. Because of the heat.

Mr. LLOYD. Because of the heat.

Senator MONDALE. What is the introduction of this foreign labor going to do to the wages of the workers who have traditionally worked in the citrus fields as U.S. citizens?

Mr. LLOYD. This will mean that many workers have to sit back and wait for a change, or even try to travel north much earlier than they should. Right now, a lot of workers are already starting to move north, not because the crop is ready in the North, but because their jobs have been taken away from them in Florida, and they have no other choice but to move north.

Senator MONDALE. That is a big argument that we have all the time, "We don't have enough help, so we have to bring them in."

Mr. BOONE. I would like to make a comment on that. There are two or three reasons why you don't have enough help.

First, people can't sit in one spot for 9 or 10 months waiting for a job that is going to last a month, or a month and a half or 2 months, so no matter how much work you are going to have next month, you have to eat somewhere this month. So you go someplace and try to find some work and not sit here and wait until your crop gets ready.

Second, we talk about not having the proper labor force. We might not have it in the immediate area, but what does the industrial commission do about recruiting people from other States? Why do they have to go overseas? Why don't they get people from Alabama who are starving, people from Georgia, and people from Mississippi.

Senator MONDALE. They might be able to find it elsewhere in Florida?

Mr. BOONE. That is right.

One thing they do not do, and I know from experience that they don't, is to advertise jobs. There was a survey taken which showed that the industrial commission deliberately did not advertise jobs that were available in the sugarcane, so that they could say there were no jobs available.

We went down to ask if the jobs were available, if they had been advertised. We went to the radio media and the newspapers and asked, because we knew the jobs were available.

Senator MONDALE. Have either of you been involved in efforts to organize the farmworkers and try to bargain for better wages or working conditions or job security or the rest?

Mr. LLOYD. Yes; we had the beginning of an organization in Florida in 1967.

Senator MONDALE. What happened?

Mr. LLOYD. Really, I believe Florida didn't give sufficient time. We had a good organization. Part of this organization is still alive.

I can testify that it is pretty lively in Tampa. I hope to see them start up again pretty soon. I hope they will.

Senator MONDALE. But at this point, they haven't had any success in improvements?

Mr. LLOYD. No.

Senator MONDALE. Why were the BWI's being brought in to the United States instead of soliciting help in Alabama, Georgia, and other areas of Florida where there might be unemployment?

Mr. BOONE. Because of the contract system they use.

In my town, one man supplies all the labor used in the labor camps. Each man gets something out of it. One might be in charge of all the food they consume. When they come, they come with a contract, a basic wage that they cannot change, whereas we as individuals can bargain for higher wages.

They cannot.

They have to accept whatever is on that contract. I have known Jamaicans to work a month and draw something like $5 or $6, because they have to deduct for their food and their lodgings. The contractors are in charge of the whole thing, and it is a profitmaking thing.

The workers don't eat anything but rice, beans, and maybe a little meat or something. Every day it is the same thing. The contractors don't feed them anything, and charge them weekly.

Senator MONDALE. So they find it far less expensive with a controlled labor force.

Mr. BOONE. Right.

To discourage the native from doing this work, they put a Jamaican worker in the midst of the natives and tell him to set a very fast pace so that the others will be discouraged.

I know at least five or six women last year who had to go to the hospital from working in the cane fields.

Senator MONDALE. In other words, they will work BWI's and local help alongside each other, and the women can't keep up. I have been told it is the hardest work there is. I have been told it is hot and muggy.

Mr. BOONE. It is hot and dirty. Stick cane gets on your clothes.

Mr. LLOYD. The Jamaicans come under a slavery-type contract. I have a couple of copies of the contract over here. These people are given 1 day off a week, and the grower decides which day this will be. They work 8 hours a day, and if they slow down in the grove, they are told, "We will send you back home." This is the sort of slave labor brought over here from the West Indies.

I would like to add that the Jamaicans are getting wise to this, and are ready to rebel against it.

I had an opportunity to talk to more than 250 Jamaicans last week, and they are really angry about it. They are saying, "If we can't come over during the first start of the season, why bring us over here to crop the bad fruit?"

They realize they are being used, and I am quite sure in the near future this, also, will change.

Senator MONDALE. Any time my colleagues wish to ask a question, please do.

You are a former crew leader, right?

Mr. LLOYD. Yes.

Senator MONDALE. We saw a film here yesterday telling about a crew that was headed by a crew leader in Arkansas, black workers, and they then went to Suffolk County in New York.

If the film is accurate, the crew leader was central to the exploitation. He promised good pay, and he provided the transportation and the food, and he kept the books and he made all the deductions, and when it was all done, the workers were still in debt several months later, and the one man that seemed to be doing very well was the crew leader.

Mr. LLOYD. Right.

Senator MONDALE. You are a former crew leader.

Maybe you can tell us about it.

Mr. LLOYD. I didn't have an opportunity to see the film yesterday, but from what you say, I am sure it is very, very true. This is how it operates.

Once a crew is recruited from the South to New York, about 80 percent of the money the workers make goes into the crew leader's pocket.

Senator MONDALE. How much can a crew leader make a year?

Mr. LLOYD. We have seen crew leaders make as high as $20,000 a year. That is the highest I have known. They have an overhead investment, and the only way for them to really stay ahead of the grower is to exploit the people.

Senator MONDALE. We passed a Crew Leader Registration Act here a few years ago that was supposed to take care of that. I gather from your testimony that there are easy ways to avoid that legislation.

Mr. LLOYD. Yes.

Senator MONDALE. It is your impression that in fact the Crew Leader Registration Act hasn't made much difference?

Mr. LLOYD. Not much difference. There was one thing about it, actually, that is not enforced. The agency that is in charge of enforcing the Crew Leader Act is actually the power structure, and it works more in favor of the growers than it does for the minority goups.

I talked with a worker in the employment service, and he actually admitted that he had known of guys coming in and asking for crew-leaders license. He would turn them down, and later the boss, the white grower, would bring them back and would say, "Old John here is a good man, and go ahead and give him a crew leader's license," and that is it.

This is true of many of the laws that have been passed for migrant workers.

I would like to add that the migrant workers go into the smaller communities along the eastern seaboard. These camps are situated way out, maybe 6 or 8 miles from the closest town.

In these small areas, the law is actually controlled by the grower. The grower could very well be the mayor of the small town, or have influence on this small city council or whatever it is. The crew leader reports to him on the migrant workers, so they get the worst of the deal.

Senator MONDALE. That gives the crew leader a chance to make a profit, because workers are in a remote area. If they want food, liquor, cigarettes, or anything, they don't have their own transportation, and they have to buy it through him and he can make a big profit off that.

Mr. LLOYD. That is right.

Most of the camps, as I say, are situated 6 or 8 miles from town, and the crew leader goes into town on the weekend and loads up on liquor and stuff.

Most camps have only one way out, and are surrounded by high barbed-wire fence. I have known of two camps, one in New York and one in Florida, where the manager of the camp had his office right in front of the gate. He has a gun on him at all times, and if you are not a resident of the camp, you must register when you go in.

Senator MONDALE. Register with him?

Mr. LLOYD. You have to register yourself. You have to tell him you are so-and-so, and you want to see so-and-so in the camp, and he will probably let you pass.

If he doesn't believe you, he won't let you pass at all.

I have a statement here saying that a news reporter was kicked out of a camp in New York last year and thrown in jail because he refused to leave the camp at the manager's request.

Senator MONDALE. Senator Cranston?

Senator CRANSTON. I would like to ask about one aspect of this general situation.

What is happening to the children of migrant laborers, where are they, and what sort of educational opportunities do they get?

Mr. LLOYD. I would say in New York last summer, the children had the opportunity to go to day care centers and to school when the schools opened in New York.

Migrant children, I would say, have better educational opportunities now than they had 5 years ago.

Senator CRANSTON. When the workers are traveling on the buses, where are the wives and children?

Mr. LLOYD. They ride along on the buses. The trip will take them about 5 days north, and when it is time to sleep, they pull over to the side of the road. Some sleep on the bus, and some sleep on the side of the road.

Senator MONDALE. So all of the conditions you speak of for the male workers apply to their wives and children?

Mr. LLOYD. Yes.

Mr. BOONE. I would like to make a comment.

There seems to be a general conception that the migrant labor forces consist of single men, but that is not the case at all. These people are just as domestic as anybody else. They have their families and children and they are with them all the time. Any of the conditions the men face, the women and children face too.

Senator CRANSTON. How many of the women and children work, too?

Mr. BOONE. The women work, too.

Usually the larger children are left to care for the smaller children, who are not big enough to go out in the field themselves to help.

Senator CRANSTON. At what age level do they go out in the field?

Mr. BOONE. That depends on the crop. If it is something like beans, something that requires the use of their hands, and is not strenuous——

Senator CRANSTON. At what age do they go out?

Mr. BOONE. I would say 5 or 6 years of age. I was putting beans in a box when I was about two. My mother pushed me up and down the row.

Senator MONDALE. I visited a school, and I was told that some of the children, 2 or 3 years old, work under the cherry trees seeking fruit that is hanging down.

Senator CRANSTON. What do the 5-year-olds get paid?

Mr. BOONE. They get so much a basket, something of that nature.

You never see a truant officer. The weekend labor forces consists of children. The grownups are too tired Saturday and Sunday to go. They have to rest so they can go back Monday.

Senator MONDALE. The kids work on the weekend?

Mr. BOONE. That is right.

Senator CRANSTON. How much time are they away from Florida traveling?

Mr. BOONE. Most of them in my area are away from Florida from 3 to 4 months. They are there for 8 or 9 months.

Senator CRANSTON. Which months of the year are those?

Mr. BOONE. When they are away? They leave the last of May and the first of June.

Senator CRANSTON. So those in school would leave before they complete their school year.

Mr. BOONE. Right.

Senator CRANSTON. How do they complete their education?

Mr. BOONE. That is what keeps the children in the stream.

Senator CRANSTON. Keep them what?

Mr. BOONE. That is what keeps them migrants. If they got the education other children get, they could get jobs and get out of the migrant stream.

But since they are always the least educated and the least informed, they are more ignorant than anyone else.

Senator CRANSON. So their schooling is broken up in May before they have completed the school year.

Mr. BOONE. Right.

Senator CRANSTON. What sort of education do they get in Florida? Do they go to school from September to May?

Mr. BOONE. Some of them do. Some of them don't. There are about 25 percent of the black children that just drop out of school. They don't go.

Senator CRANSTON. At what age?

Mr. BOONE. More or less the early teens, 12, 13.

Senator Cranston. When they are traveling, do they get involved in the school lunch program when they stop somewhere?

Mr. Boone. Some of the States are cooperative. New York is one of the better ones. I don't know much about the States in between, because I always went straight from Florida to New York.

Mr. Lloyd. The workers aren't in the States long enough to get any benefits from school lunch programs, because they might be there for just 3 weeks.

They started in North Carolina in potatoes and beans, and that lasts for about 3 weeks. Then they move into Virginia, for beans and potatoes, and that will last 2 weeks.

Once they reach the State of New Jersey, they settle down for the remaining time. Some will go into New York and stay for the rest of the summer.

These are the only States from which they will benefit from the lunch program.

Senator Cranston. Say a child has gotten to the sixth grade and he goes along in that until the first of May and then goes north. How does he finish the sixth grade?

Mr. Lloyd. He will be put back in the sixth grade when he returns to Florida. At 12 years old he probably will still be in the fifth grade. By the time he reaches 13 years old, he will be in the sixth grade, and gets discouraged.

Senator Mondale. A lot of them are embarrassed. They sit with children 2 or 3 years younger than they are, and they are embarrassed.

Mr. Lloyd. Right.

Mr. Boone. In some of the Northern States, when the children get there with their report cards, they won't put them in the classification the card says. They will put them two grades back.

That in itself is discouraging.

They are saying that the level of their education is not up to par, that they shouldn't be in the grade they are in. They put them back, or in a special class or something.

In New York, in an area that had a tremendously large labor camp, they would take the migrant children and give them special classes. They won't send them to the regular school system.

Senator Cranston. You said they are in the day care centers some of the time when they are in the North. What benefits do they get there, what care and feeding, what program?

Mr. Lloyd. Actually, although the lunch program is in the day care center, it is just for children who are maybe in the age bracket of 3 and 4 years old. They are in the day care centers.

The rest of the kids, as I saw in New York last year, from 6 to 8 years old, go to the fields every day until their school opens in September.

Senator Cranston. Thank you, Mr. Chairman.

Senator Mondale. Senator Schweiker?

Senator Schweiker. Thank you, Mr. Chairman.

I would like to ask either of the gentlemen: What might be an average contract labor wage figure for what migrant workers will get in Florida, in the Florida area, where you folks work? What would be an average per hour or per day figure that a migrant worker could get?

I know it is tough to average, but could you give us an average figure?

Mr. BOONE. In my area, most often the work that the migrants themselves do is piecework. There is an agricultural force there year-round that does most of the hourly work, and they average from $1.30 to $1.45, sometimes $1.60 an hour.

They are not migrants themselves. They are agricultural workers who are there year-round who tend the fields and grow the crops.

The migrants themselves, when they are working, make fairly decent prices in some crops.

In the long crops—if you have a secure job where you can work every day, you don't make much. But on the jobs that are strenuous, like harvesting sweet corn, which requires a tremendous amount of stamina, you might make sometimes as much as $20 a day. But you might work only 1 day a week, from September up until the spring crop, which starts in March or April.

You might work 1 day a week or 2 days a week, and if the frost comes, which is very likely, then you don't have anything to do until the crop is replanted and grown again.

Senator SCHWEIKER. I have here a letter that had been placed in the Congressional Record. I am not familiar with the details. I just want to get your reaction to the accuracy of it.

It is from Randall Chase, who is a grower of citrus fruits and vegetables, and I would like to read a sentence or two and get your reaction to it.

He is talking about contract labor in the glades, and I quote now from Mr. Chase's letter:

> In the glades, contract labor, mostly migrant, is making from $40 to $55 a day. Turnover is about 70 percent daily. The high wages, of course, are the main reason for the turnover. There is lots of labor there, but they only work a day or two and then they don't want any more, or need any more until they have used up what they have made.

The essence of the letter is that there is really a shortage because of this. I would like to get your reaction.

Mr. LLOYD. I would like to try to answer that question about $45 and $55 a day. I want to go back to the migrant workers in Florida. They estimate about $2,800 in earnings for a family of five.

This is based on the entire State, and if it wasn't for the citrus, the estimate would have been lower than this.

In the glades area and in the Immokalee area, we heard that they are paying $3 an hour for harvesting watermelon.

This sort of high price is picked by the grower out of all the days during the year. The grower says, "This is one particular day, I want this for the record, because the guy made $55."

We have a hot watermelon season now, which will last but 5 weeks, and they offer about $3 an hour for it. And the growers use this particular example to try to show that the migrants make more than the estimated $2,800 a year for a family of five.

They will go out and pick for these 5 weeks and farmworkers will make a good showing.

But, people have to live every day in the year, you know, so when this 2- and 3-week good paying time is past, the workers don't have anything to look forward to except go back to the $3 a day and $5 a day.

So I am quite sure that those $50 a day figures were brought from this sort of investigation by growers.

But the real truth is that farmworkers have 1 or 2 good days, and the rest of the days are bad. The feeling I got from his letter was that he didn't talk about the bad days.

Mr. BOONE. Mr. Chase is a grower in the glades area, a celery grower. I think that is the Mr. Chase you are talking about.

Anyway, it is true that there are days when a person might make $40, but they are very rare.

For instance, if there was work so that the labor force could be around until the spring harvest came, there wouldn't be any problem. We could have a good, level rate of pay.

But there is not enough work to keep the people there, so when the crops come off, half of the people are somewhere else trying to survive. They come up with a labor shortage for maybe 1 week, or 3 or 4 days when everybody wants to flood the market with corn or something.

That is all it amounts to.

So everybody is out there bidding for the labor, which is short for this particular thing.

Usually, during the corn season, each grower might have 2 days' work a week, so there is enough labor there to harvest the corn up until the rush. When the rush comes, they are bidding for the labor. That is why they pay the prices, because he is trying to outbid the other farmer. Because they do not live in labor camps, they are not subject to any one farmer, and they can work for the highest bidder.

This is about a week at the most. After that, it is the same routine. They barely make a living.

Mr. Chase is talking about what these workers might make in a day, but even at that, their annual earnings are in the vicinity of $2,000, or $1,600, or something like that. That is annual. That is the way you should determine it.

Senator MONDALE. And so often for the whole family.

Mr. BOONE. That is right.

That is the family earnings.

Senator SCHWEIKER. You said pesticides are used in the field indiscriminately, and that you are afforded little protection, and that persons are maimed and killed.

Could you elaborate on this problem, and what we should be looking at?

Mr. BOONE. In my area, we grow a lot of vegetables that require insecticides. The insects are bad. Insecticides are applied indiscriminately by airplanes and field carts, even the day before harvest. I have known occasions last year where there were 12 men pulling corn in front of a mule train—that is a machine they build to go down through the field—and the whole 12 had to be rushed to the hospital, because the field had been sprayed with insecticide a few hours before.

There was a case this year where a man was spraying in an orange grove, and he took the mask off for a second and inhaled, and died.

But the bad thing about it was the problem of putting the responsibility on the grower. He said, "The worker should have kept his mask on." and that was the extent of it.

There was no compensation.

Senator SCHWEIKER. Does Florida recognize any workmen's compensation liability in cases either of injury or death, or not?

Are there laws?

Mr. Boone. I think they have an option to get either one or the other. The liability is enough to pay for the hospital bill.

Senator Schweiker. Thank you,

Senator Mondale. Senator Hughes?

Senator Hughes. Thank you, Mr. Chairman.

I would assume that when you state, Mr. Boone, that most of your work is piecework, that with the different crops there are different types of measurement for pay, and that actually when you are measuring a total day's pay, it may include the children of the mother and father as well as the mother and father, all putting into the same basket.

Mr. Boone. It does.

Senator Hughes. So if you broke the $1.45 an hour down to the family members, it would diminish quite a bit, wouldn't it?

Mr. Boone. When I was talking about the $1.45 an hour, I was talking about the agricultural workers who are nonmigrants. These are the people who raise the crops and prepare the fields and this sort of thing, the year-round workers.

They are there year round.

Most of the migrants work, like I said, strictly by the field. They are the ones who harvest the crops. They pick the beans and celery and stuff like that.

Senator Hughes. Mr. Lloyd, could you describe one of the camps that you mentioned were built in stockade fashion behind a wire fence with a man carrying a gun at the gate, and tell me what the physical facilities are. What does the typical family unit look like, what are the toilet facilities; where do they get their water?

Mr. Lloyd. I would like to take one in New York.

In New York, in Kings Ferry, between Ithaca and Auburn, there is a camp that used to be run by the Kaiyuga Producing Corp. This camp is set about 5 miles out of the nearest town. They have barbed wire around the front of the camp, and also high trees, so that it is really invisible from the roadside to visitors who pass through. At the front of the gate, they have a house that they call the office.

The assistant manager stays there. He is on the job at least 16 hours a day, and he sleeps right there in the house.

If any visitors came into the camp and passed by him without stopping, he would go down to the camp and get them and bring them back.

Senator Hughes. Did he visibly carry a gun?

Mr. Lloyd. Yes.

Senator Hughes. Was he a peace officer?

Mr. Lloyd. No. You can see the gun butt sticking out of a side pocket.

We have the same situation in Florida, where camp managers carry guns, and the camps have barbed wires, with such signs as, "Keep Out, Nonresidents are not allowed" posted. Although they have human beings in the camps, they keep them in there as slaves.

Senator Hughes. What does the typical family unit look like?

Mr. Lloyd. The camps in central Florida, were built strictly for single men. There is no real family camp. In New York. A family of four will have two rooms, or maybe one room with a sheet to go across to separate the children from the adults. The children sleep on one side of the sheet and the grown folks sleep on the other side. This is the reason that the sex life of the migrant children begins at an early age.

Senator HUGHES. What are they charged for that unit?

Mr. LLOYD. If you work for the grower, they probably will charge you maybe $2 a week or something like that, just a small amount. But what is involved here is the deduction out of your wages, which can very well contribute to the rent in a way that the migrant workers actually don't know anything about.

It is easy for a migrant to be paying for something and he doesn't know what he is paying for.

Senator HUGHES. Is there water in the house?

Mr. LLOYD. No, there is one outdoor spigot, and all the toilet facilities are outdoors.

Senator HUGHES. Are they central toilet facilities, or individual outhouses, or what are they?

Mr. LLOYD. A camp of 450 last year in New York had eight outdoor toilets, for 450 people, and one shower bath for the men and one for the ladies. These are separated by a partition between one side and the other.

Senator HUGHES. What about cooking facilities in the unit?

Mr. LLOYD. Most of the cooking is done by the crew leaders—the crew leaders' wives will do the cooking.

Some camps will allow an oil burner stove in one room of the house you live in, and the workers will feed the children from that and if the time is later at night when they arrive at camp, and if the families want somebody to cook, they will go to the crew leader and pick up a stove for the entire family.

Senator HUGHES. Do you take any lunch to the field with you?

Mr. LLOYD. Not very often. Sometimes the crew leader will stop at the store, and other occasions the crew leader calls it a "run late" morning, and he comes into the field and says that his wife will be there later to bring lunch to the field.

Sometimes it will be as high as 12 o'clock in the day before the lunch wagon shows up.

Senator HUGHES. What about water in the field?

Mr. LLOYD. In most cases they carry water to the field, but this can be 2 hours behind the crew. The crew reaches the field at 7 o'clock in the morning, and the water doesn't reach it until 9 o'clock.

Senator HUGHES. What about the facilities for sanitation and potable water and everything else? Are there any Health Department examinations of the camps that you are aware of? Are there any signs sticking up stating that they have been approved, or anything of that nature?

Mr. LLOYD. Yes. There are signs. I doubt seriously that actual inspections have been made. I was in New York last year for 3 months. A health inspector came once, in June when the camp first opened up, and he never did come back.

Senator HUGHES. You said New York was the best. What would the worst be like, as far as the States are concerned?

Mr. LLOYD. Oh, States?

Senator HUGHES. Yes, the States.

Mr. Lloyd. I would say Delaware, really. This is back in 1966. I would say Delaware. I worked in Jersey in 1966, and Jersey and Delaware are close. In that year, I spent two weeks in different States, and at that time Delaware was the worst State for housing. They actually were sleeping outdoors, and the cabins had no screens in the windows.

I have seen women fixing meat in Delaware, and you couldn't tell whether they were fixing meat or fixing flies. That was in 1966.

Senator Hughes. You mentioned crew leaders bringing wine and liquor back to camp.

In my State we call this bootlegging. Is there any attempt to enforce the laws?

Mr. Lloyd. There is no effort made to enforce the law. What happens here, you see, is that the citizens of the community believe this is good that the crew leader is doing this, because it is doing them a favor by keeping the migrants out of town.

There is no enforcement whatsoever.

Last year in New York, I called the beverage man and asked him if these people were licensed to sell liquor at high prices, and he said at that time the man who was supposed to see about that was out of town, and to call back 2 days later.

Two days later we called back, and he said he was still out of town. It was the end of the season.

Senator Hughes. What about medical assistance. If somebody gets appendicitis some night in the camp, what do you do?

Mr. Lloyd. I have in front of me here a statement about the medical situation in New York last year.

Last year when we arrived in Berry, N.Y., the health commissioner, who was Dr. Warner at that time, said that there wouldn't be a medical trailer situation on the camp because of some sort of Federal guideline saying that the money wasn't available.

So a group of migrant works got concerned about it, and they came over to our trailer one day and asked if we could do anything about it. We thought it would be necessary to write a letter to the health commissioner, which we did. The letter was signed by 15 migrant workers and sent to the health commissioner, who finally decided then to send the health trailer out that year.

Now, I mentioned that health care is good in some States and is bad in others. After we were successful in getting the health trailer out this time, we arranged to have a doctor there once a week, and a nurse on duty every day. This is good in New York State, but it can very well be different in other States.

Senator Hughes. What about women expecting babies and this type of thing? Are they able to have their children delivered, or do they take them to a hospital, or is it a camp site delivery, or what happens?

Mr. Lloyd. Actually, the nearest hospital at that time was in Albany, N.Y. We usually take the women every Wednesday to get a checkup, and most times, if it is in the middle of the month and they estimate the woman will have the baby this month, they try to keep her over there. I have known one occasion when a woman was about to have a baby and they called me over there to rush her to the hospital.

Well, I think I got over there just before.

Senator Mondale. You made it.

Senator Hughes. I would like to have you tell me, and this may be a part of the record, but I would like to know.

Suppose you worked intermittently because of wet mornings, rain or something. You got your supplies, your groceries, whatever you needed. How would you get paid?

Does your crew leader deduct for everything you received in the way of family supplies during the week, and you may wind up with $2 at the end of the week after everything is deducted, or you may wind up owing him something?

Mr. Lloyd. This is true.

The crew leader actually will loan money to an individual, or even a family. At the end of the week, he deducts it from the wages, or it may be deducted during the day, if they get paid on a day-to-day basis.

In one case in New York, I remember that a young man worked 5 days at a packinghouse, and he earned $52. At the end of the week, the crew leader deducted $45 from his pay and gave him $7. He asked the crew leader why this was deducted, and the crew leader said if he wanted to stay in one piece, he had to accept it, or words like that.

As a matter of fact, Senator, the operation of the crew leader system is what we can say is crew leader brutality in the entire situation.

The crew leader does as he pleases, and no one comes to the defense of the migrant worker himself, because these are small communities. The law is influenced by the grower, who the crew leader works for, and since he is closer to the grower, he has the strongest voice with the law.

Senator Hughes. In the camp, what do you do, establish your own law?

Mr. Lloyd. You can easily say that the law in the camp is something like their own law, because, for instance, if someone got shot in the camp, or cut, and a local worker called the law, the law just won't come.

Only two people are authorized to call the law in the camp, and that is the camp manager or the crew leader.

Last year in New York, I was authorized to call the law, and this was the only way the law would come. If the law comes to the camp, he has to stop at the gate where the camp manager is. If the camp manager decides that the law shouldn't be involved, he tells the law to go on back, that the matter will be taken care of.

Senator Hughes. You seem to have something like the boss system that seems to prevail in some prisons. The con boss system is really the law inside the walls, and it is the same, apparently, in the camps.

The crew leader is God, if he wants to be.

If we treated a mule this way, we would have most of the people highly incensed about it for cruelty to animals, but we ignore it when it comes to human beings.

I guess I have no further questions.

Senator Mondale. Thank you, Senator Hughes.

Senator Bellmon?

Senator Bellmon. Thank you, Mr. Chairman.

I would like to ask a couple of questions.

I missed most of the testimony, unfortunately. I was at another meeting.

You referred to what you called crew leader brutality. How do the crew leaders get away with this? There are a large number of individuals in the camp, and only one or two crew leaders. Why do the migrants stand for this?

Mr. Lloyd. In the camp, the crew leader is the strong-arm man. He has along with him two or three backup guys. These are called his pimps. They operate by kicking anybody found to disobey the crew leaders' orders out of the camp. And it is announced over the loud speaker system every day, "If you don't live by the rules of the camp, you have to go," and "you will be kicked off the camp."

The worker is completely powerless.

Senator Bellmon. You mentioned rules.

Rules are made by the camp leaders, not by the migrants?

Mr. Lloyd. Yes, the camp rules are made by the crew leader and the camp manager.

Senator Bellmon. Do the migrants have any voice at all in the making of the rules?

Mr. Lloyd. No voice whatsoever.

Senator Bellmon. I understand you were once a crew leader?

Mr. Lloyd. Yes.

Senator Bellmon. Did you operate in this fashion?

Mr. Lloyd. No. That is the reason, probably, why I am not a crew leader today. The system is outdated, and probably the only way to stay in front is to exploit.

Senator Bellmon. So you are saying that the crew leaders don't have such a good deal, either. They have their problems?

Mr. Lloyd. Right; they have their problems.

Senator Bellmon. Is the problem basically the fact that the wages are low and that it is really very difficult for the workers and the crew leaders to make out on their pay? Is this the problem?

Mr. Lloyd. I would say so. The wages even handed down to the crew leader are low.

A crew leader doesn't have the ability to negotiate with the grower for the right wages, and when they get through figuring out the overhead and reach down actually to the worker, the money is so low that the crew leader has to cut back on what he offers the workers. This is the reason we have something like promise and reality.

Most likely what a worker is promised in the South is very, very much different from what he finds when he reaches the Northern States.

Mr. Boone. I would like to make a comment on the exploitation.

The reason we have so much of it is because of a conspiracy between the grower and the contractor. The grower will save money by letting the crew leader exploit the people. Then he will tell him, "Look, I can only pay you a certain amount for what you are doing, for harvesting my crop, but I will give you a free hand to sell whatever you want on the camp and handle the camp in your own way." This is the way it has been done.

The crew leader knows there is a lot of money to be made, and he will agree. Although he is not making what he should be making from the farmer, they will both gain by it, and nobody will lose but the migrants themselves.

Senator Bellmon. So the crew leader really gets most of his income from the migrant?

Mr. Lloyd. Right. If his job is relatively competitive, if there is another crew leader or someone who might be interested in the same job he has, he feels somebody will take the job cheaper than he has.

There is hardly ever any written contract between the crew leader and the farmer, so the farmer could kick the crew leader out any day he gets ready. In order to stay in good with this farmer, because he has something for him to do, and he can at least make something, the crew leader will say, "Well. I will take this at a lesser price if you will give me a free hand with the camp," and that is the way it's done.

Senator BELLMON. You mentioned in your testimony that only the crew leader and perhaps one of the persons authorized to call the law and then you said that the law would not come unless the call came from these one or two individuals. Now why does anyone need to be authorized to call the law?

Mr. LLOYD. Well, actually the organization actually comes from the law, because on past occasions the law claimed that they had been getting calls from the labor camp asking them to come down. When they got there, they could not find a person hurt on the campgrounds or could not find the person who called them.

So the law themselves set up a system and they said, "I am going to let the camp manager call me or the crew leader call me." I would like to add that last year in New York a crew leader threatened to stomp me to death because I was trying to go away to the bus station. He said if I take the bus, he would stomp me to death. I considered that a threat. I called the law and when the law arrived, they said they didn't think it was necessary. Do you want to go down there and arrest him?

I said yes. On the way down there, he said, "You know, tomorrow you will forget all about this. I don't think you want to arrest no crew leader. It's kind of dangerous for a migrant worker to arrest the crew leader." I informed him that I was not working as a migrant worker this year, so I would prefer to have him go out and arrest him.

I went down and swore out the warrant, and up to 9 o'clock that Sunday morning the crew leader was not arrested. I called again and asked why the man was not picked up and he said, well, he thought I would forget about it by now. I said, no, I wanted him arrested.

He finally came and arrested the crew leader. Actually this was sort of an example to show the migrant worker that the crew leader can be arrested. Migrant workers don't beileve anything can happen to their crew leaders. They believe he is just everything.

Senator BELLMON. This condition about only authorized persons calling the law, is this general or does this only exist in certain States or certain localities?

Mr. LLOYD. This depends on the size of the community. Now Florida is very much different.

Senator BELLMON. Can you describe the conditions in Florida?

Mr. LLOYD. Most of the migrant workers in Florida live in communities that are stabilized, where anybody can call the law. You have more than one leader in a community, but in the migrant camp you have only one.

Most of the migrants live in communities in Florida. They are being exploited by crew leaders and self-appointed community leaders. This is the cycle.

The migrants can't get away from this exploitation under the present system. It is just a cycle.

Senator BELLMON. Is there some reason why the migrants live in the community in Florida and live in these camps in other States is different? Why do the migrants not live in communities in other States such as Delaware and New Jersey and New York?

Mr. LLOYD. Actually there is no place prepared for them in the communities in the northern States. They built camps outside the community to house the migrants. There is no place for them to stay in the North, other than in these migrant camps. In Florida it is different. A person is almost on his own. He can go and rent a house and work wherever he chooses to work.

As I mentioned in the statement, once they board the bus on their trip North, they are at the mercy of the crew leader.

Senator BELLMON. Is that the reason the system is different in Florida, the fact that the migrants spend more time in Florida?

Mr. BOONE. That could be.

Mr. LLOYD. Iwould think so. Most migrants consider Florida their home base, and they have friends and more family ties in Florida than they have in the stream.

Senator BELLMON. You mentioned that you feel there is a conspiracy between the grower and the crew leader and then you also mentioned that the crew leader sometimes feels that he is forced to bargain or to taken a bad deal with the farmer just to get the job?

Mr. LLOYD. This can very well be so because of the lack of organization and the fact that there are set laws on how a crew leader should bargain with a grower. The crew leaders have no job security. And someone will figure he can make out on the cheaper wages or another one will come along and say, "I think I can do this job for a nickel cheaper," and the crew leader is out of a job.

Mr. BELLMON. Is this the conspiracy that you were thinking about?

Mr. LLOYD. I didn't mention a conspiracy. I think that was Mr. Boone, but at the same time it could well be. The crew leader, even the grower, can hold a job back and interview three or four crew leaders and the one that can do it the cheapest will get the job.

Mr. BELLMON. Is that what you had in mind?

Mr. BOONE. Yes, there is no written contract. There is no security on the job. The farmer will say, "Another crew leader was over to see me today, and he is interested in your job, and will take the job a nickel cheaper. I like you and I want you to work for me. You gave me a good job, but I had a bad year and I don't think I can afford it. If I can get this done cheaper, I might come out of the hole. So do you think you could do it a nickel cheaper, just as he could?" It is a way of bargaining, that is all it is.

Senator BELLMON. I see, that is all, Mr. Chairman.

Senator MONDALE. Thank you very much. I want to ask just one question of Mr. Boone, if I might. I can understand why migrants when they are in the streams, in New York, Delaware, and so on, have difficulty persuading local public officials to respond and enforce the law. I don't appreciate it, but I can understand it because you don't vote there. The people who don't want the law enforced do.

But in Florida, for example, the chairman of the board said that you weren't even his people, you were Federal people. He is elected, but in a county in which there are 22,000 farmworkers. You are from Pahokee, is that yow you pronounce it, and I think you don't have a single member of the county board. Am I correct on that?

Mr. BOONE. Yes.

Senator MONDALE. How many members of the school board do you have? Zero? How many members of the city council?

Mr. BOONE. None.

Senator MONDALE. Zero. So even though you have lived there for generations and you are citizens of that community, there are none of the duly elected officials who apparently feel that you amount to a strong enough political force that they have to be concerned about you for political reasons.

How do you explain that?

Mr. BOONE. It is true. The reason is the illiteracy rate among the migrants themselves and the traditional way in which things have been done in the past, with due respect for the law in general. For instance, in the past years, in the small town of Pahokee, there has been no investigation into the handling of the city funds and the activities of the police department and the whole works.

As a matter of fact, there is an investigation going on now. Up until this time nobody had ever questioned anything. For example, a policeman will come down and arrest a migrant and charge him on the spot without even having any knowledge of the law or due process. He will just say, "You are fined $100, pay me or else go to jail." So migrants have this fear.

Senator MONDALE. The policeman rules right there?

Mr. BOONE. Yes, on the spot. From what they have seen from experiences in the past, the migrants know that they are powerless. For instance, if a migrant goes out and gets drunk, and a citizen of the town, any white citizen, does the same thing, a policeman, black or white, will come along and take the white guy home and say "All right, Joe," and take the migrant to jail and charge him $50.

Because of this, these people want no part of city government. They won't even go near the city hall if they can get out of it. They are not going to register, they are not going to make any attempt to vote and become a part of it at all. It is a hard thing to try to indoctrinate these people.

Their only opinion is "I don't know why you try? They are going to do what they are going to do uptown anyway."

Senator MONDALE. Have you tried to get migrants active politically, to vote and so on?

Mr. BOONE. We have had registration drives and there are more voting now than there have ever been in the past.

Senator MONDALE. Do you see any difference in the attitude of the local public officials as you increased your political activity?

Mr. BOONE. Arrests have dropped about 50 percent, maybe more than that, and they don't take people up there and fine them any more. For instance, there might be some legal aid lawyer in the area. If he comes with somebody who is being tried, nine times out of 10 they will drop the charges. Because they have been doing wrong for so long, they don't even know what the law is themselves.

They don't know whether they are right or wrong and that is a fact, they don't know. In all those little towns around there they don't even have the cases presented right. The lawyer walks in the door, makes one statement, and turns around and the man is free.

That is the way its been done but it is changing. That part is going to change.

Senator MONDALE. The migrant legal services program has been a good service program?

Mr. BOONE. Oh, yes.

Senator MONDALE. We are most appreciative to the two of you for having your excellent testimony. Thank you very much.

As you know, Mr. Pebeahsy became emotionally upset when the started to testify earlier this morning. He has accepted our suggestion that he present his testimony under more private circumstances. I think this witness is vitally important to the record we are trying to develop, and I am grateful for my colleagues approval of the opportunity to hear this witness with only a limited representation of the press and public.

(The subcommittee adjourned to the committee offices to hear the testimony of Mr. and Mrs. Frank Pebeahsy.)

Senator MONDALE. Can you tell us a little bit about your life as a migrant and how you see this problem?

STATEMENT OF FRANK PEBEAHSY, COMMANCHE INDIAN, ACCOMPANIED BY MRS. PEBEAHSY—Recalled

Mr. PEBEAHSY. Yes; I started doing migrant work about 12 years ago. My trade is roofing and I do roofing work just like the migrant, just seasonal up to about 12 years ago. I was hurt with roofing with asphalt, once, and I got leary of it then. Then I quit and I did spot jobs for a while, which wasn't giving me enough income to feed my family with, so I told my wife that we have to supplement our income in different ways and that the only way we could do it was to—I had heard other people around the home where we lived that older Indians and myself that they had went out to different parts of the country and did potatoes and broom corn, sugar beets and the vegetable harvest in Phoenix.

They said they had made enough to live on, which was all we were after. So we started in the migrant stream in that manner. We worked for a while in Idaho and then we worked for a while in Arizona, but the worst part of the country that we had went through was in Colorado itself—no, not Colorado, but in San Jon, N. Mex.

The farmer we worked for there, he has one of these—I believe it is what they used during World War II—barracks. They put them off in sections, which is not no bigger than this room up to the coffee urn here, maybe not quite that big for my wife and myself and our oldest daughter and my three boys. The beds are just single beds and some of them is broke where we go down to the lumberyard and buy concrete blocks where we can set these beds upon and usually the mattresses are not so very good.

Senator MONDALE. Are there many Indians, Comanches, Navajos, or others that you know of who work in the crops this way?

Mr. PEBEAHSY. I work mostly with the Navajo people, because I am in their part of the country, New Mexico.

Senator MONDALE. What kind of crops do you work down there?

Mr. PEBEAHSY. None in New Mexico except from broom corn.

Senator MONDALE. Are there a lot of Navajos working with you there?

Mr. PEBEAHSY. Yes, the Broom Corn Growers Association they contract or make application to the employment offices in Farmington and in Gallup and possibly some in Arizona. Some of us, we go on our own, those who are fortunate enough to have transportation. But we don't have the money for our trip, so usually if my title is clear to my vehicle, I use that as a collateral to borrow money to go to work.

Senator MONDALE. How much did you make last year?

Mr. PEBEAHSY. Last year I don't believe I made over $2,500.

Senator MONDALE. Did you work all year as hard as you could?

Mr. PEBEAHSY. Well, we work by piece, but we work as fast as we can, sir.

Senator MONDALE. By $2,500, is that for you and your family?

Mr. PEBEAHSY. Yes.

Senator MONDALE. Does your wife work, too?

Mr. PEBEAHSY. Yes.

Senator MONDALE. Do you have other members of your family that work, too?

Mr. PEBEAHSY. Up until a year ago I had a boy, my oldest son.

Senator MONDALE. How many children do you have?

Mr. PEBEASHY. We have six all told.

Senator MONDALE. Do you bring those with you?

Mr. PEBEAHSY. We did to begin with, but my oldest son, he was fortunate to get a group in Colorado, the Migrant Council to help him go to Pueblo, Colo., for a schooling to where he can get a general education diploma and he has been doing that and now he is going to try to work with the VISTA group in the camp there so he can work among some of his own folks.

My son—I have another son that is going to school up in Idaho—Pocatello, Idaho. But the main thing I wanted to say was about these living conditions that we have, especially this farmer in San Jon. Where we live, like I was saying, it was this big building that is partitioned off for each family and on the north end of the building his pens to his stock begins, where he keeps his stock.

During some parts of the day it gets so hot the flies are so thick there. We have asked him about moving this building back, but nobody will listen.

Senator MONDALE. He won't listen?

Mr. PEBEAHSY. No. And we had one outhouse that is for the men, the women, and the children—only one.

Senator MONDALE. How many workers worked there?

Mr. PEBEAHSY. We had somewhere between 25 and 30, sometimes more than that, some get discouraged and they leave. Maybe sometimes they go to town and maybe if he is too short handed, he will go to town and maybe try to find some or maybe go back to the reservation and see if he can bring more.

Senator BELLMON. What sort of crops does this particular farmer have?

Mr. PEBEAHSY. Broom corn, this corn is jerked by hand.

Senator MONDALE. What is broom corn?

Senator BELLMON. What you make brooms out of, it has a tassel that is pulled by hand and put in bales and used for brooms.

Mr. PEBEAHSY. This one particular instance where I went to town to call some of my people in Lawton and after I had made my call and

I went back and sat in the pickup and I seen these two Indian ladies coming down the street. Where they had been or where they were going, I don't know, but I seen this man. The constable in the town pulled up right beside to them, talked to them for not less than a minute or not 2 minutes. He opened the back door for them and put them in.

In full view of where I was sitting, they had what they called a detention or what you call a jail. He took them there and unloaded them and put them in and then he drove off. They had this intermediate that goes through the town. He came up on the north end and I didn't see him. He parked next to me and asked me what I was doing in town and I told him, and he said, "Just as soon as you get through, you get out of town and get back to the farm where you are supposed to be working." I said I would go after I finished my call and after a call had come back to me.

I asked him why am I being treated like this? He said, "Well, we have been told by the Broom Corn Growers Association to keep you people back on the farm." I told him that I had a privilege and the right to go wherever I wanted to when I wanted to. He told me then, he said, "Not in this town you don't."

I said, "Why not?" I said, on the north end I seen the sign that says the town of 1,000 friendly people. I said, "Where did that friendliness go to?" He said, "Well, we have a standing order to pick you people up and take you in and call your bossman and he, in turn, will come in and if there is any fine to be paid, he will pay the fine and take you back out and you work that fine back out at $1 an hour."

That is what we were getting. That is not much money, not for us, it is not. Then sometime when we leave there, we don't have enough saved. We have no one to go to if somebody gets sick. If there is anything that is supposed to be given to us, we don't know about it. We don't know or they don't tell us.

Senator MONDALE. You mean like education or health or housing?

Mr. PEBEAHSY. They asked us about the children to go to school. Most of us people or most of the workers, they don't have the right clothes or they don't have the clothes that they need to go to school and get lunches or we don't know how we are going to put our kids in that school, because it is the first beginning of the school and we have to have health cards.

They want to know if your children are vaccinated and for what and all them that they require we don't have with us. Sometimes when we have the smaller children that we can't leave with anybody or they are afraid, they don't want to stay with this other bunch, we keep one of our children home, one of the children that is old enough to watch them.

In turn, my wife and I and my son we go on out to the field and we work.

Senator BELLMON. You say you leave them at home. You mean you leave them in the quarters that the farmer furnishes you?

Mr. PEBEAHSY. Yes.

Senator BELLMON. You don't have them at Cache?

Mr. PEBEAHSY. No; I take my family with me because I don't believe in leaving my family back. I know they are all right when they are with me. Even though I leave them in the camp when I go out in the field to work, when I come home I know they are fine. I have no one in my home in Cache that I can leave my children with anyway. I have no mother and no father.

Senator BELLMON. When you are in the camp do you cook your meals?

Mr. PEBEAHSY. Yes; we cook our own meals. We buy our food.

Senator BELLMON. Do you have anything like a camp manager or a boss?

Mr. PEBEAHSY. Not in this broom corn, we don't.

Senator MONDALE. Do you have a crew leader, a crew chief?

Mr. PEBEAHSY. We have what you call a pusher. He is a pusher, he keeps the crew all the time going, just keep a-going. When you slow down, he don't exactly say anything to you, but he says it to the crew leader where he says it to you. That way you can't say the farmer said this and that to me, that is why he has the pusher.

The pusher is the one that keeps the people working.

Senator BELLMON. Does the pusher live in the camp with the crew?

Mr. PEBEAHSY. Yes; he is usually one of the workers.

Senator BELLMON. Does he treat you fairly?

Mr. PEBEAHSY. Oh, yes, the pusher is usually a Mexican or an Indian, one of the two, whichever one has the greatest number of workers and that is how they work.

Senator BELLMON. But he has no authority over the camp?

Mr. PEBEAHSY. No. His only authority is in the field.

Senator BELLMON. Where do you get your food?

Mr. PEBEAHSY. In this town they have just only one store, but we try not to go there. We try to go to a bigger market in Tucumcari, which is about 20 miles to the northwest. Those who go to Tucumcari, they usually ride along with somebody else that has a vehicle.

Senator MONDALE. Do you get a better bargain there?

Mr. PEBEAHSY. Yes. In this particular town some of the products are not marked. We don't know what we pay for it. We might even pay 75 cents for a 5-pound bag of sugar, maybe even more than that. We don't know. We always ask them the prices and things jump so high, it is not funny.

Senator BELLMON. But in Tucumcari——

Mr. PEBEAHSY. In Tucumcari everything we buy in these Safeway markets or a market of that kind is marked. But in a small town like San Jon it is a privately owned store by a man, a person that lives there and it seems like when we come in, everything just goes out of style.

Senator BELLMON. You became a migrant worker when your health was not good enough for you to work in the roofing business. Why do most other Indians become migrants, do you know?

Mr. PEBEAHSY. I don't really, I could not speak for everybody else. I would not want to say why they work in the migrant stream. But I can just only say about myself.

Senator MONDALE. Do you feel it is because they are not well educated and can't get another job?

Mr. PEBEAHSY. Maybe that might be one of the major causes. The language barrier, a lot of the Indians don't have the education or they don't understand about the job opportunities that others have. They are not equipped for it.

Senator MONDALE. Do you spend a lot of time talking to your fellow Indians who are working with you?

Mr. PEBEAHSY. I have for a while. We talk among ourselves because we feel we can talk better to one another than we can to an outsider.

Senator MONDALE. Do you meet many of them that want to migrate, who like to get in the car and go around with their families, or would most of them prefer some kind of steady job somewhere?

Mr. PEBEAHSY. Those who can get steady jobs, they usually stay with it. But the majority, it is best off to work in different parts of the country and different crops.

Senator BELLMON. Is the problem of alcoholism serious among migrants?

Mr. PEBEAHSY. Up to a point, yes, we have that problem just like everybody else has it. It is a problem that I don't think will ever be whipped. If it is, it isn't showing any improvement. Of course, the camp itself, this one camp in particular in Delta, they try to keep them from spending too much on the liquor.

Senator BELLMON. When you say "they," who do you mean?

Mr. PEBEAHSY. We have one person in particular. This one is a Mexican. He has been there for a lot more years than my wife and I. We have been going to Delta for about 10 years, I believe, my wife and I, and this man has been there and he is well liked by everybody and he tries to talk to them. But he is the only one that can. They can put a little stock into what he says, because I guess maybe he is just like us.

These growers in New Mexico, I went to their meetings and they talked bad about us. They called us filthy names, drunks, and just anything they could think of. But yet when it comes time for their harvest to be cropped, it is always the Indian that always does the work. They don't want to take care of his house, they don't want to fix the house up.

They say they come from a worser home than what we are giving them here, what they have got here is just about like the Waldorf-Astoria. They always say that, and they talk about how bad we are. Then at this one time I got up when he was talking and getting too rough, and I said, "Yes, we admit that we have people that is not what you think is right. We have them." I said, "There is every race in this country that has the same kind of people that you are trying to push off on us." I say I know a lot of us is not smart.

I said if we were, we would not be here working for you. I said, "We can't help what we are, we were born to what we are here, we are Indians and we are always going to be Indians. There is nothing we can do to change that." I said, "But we will work, but someday—I don't know when—we are going to come back to you and we are going to demand what is really ours. We want to be treated fair and we want to have better wages and better housing for our families. We are entitled to that. Not only as migrant workers, but as the first-class American citizens."

Senator BELLMON. How long does the broom corn harvest last?

Mr. PEBEAHSY. It lasts about 6 weeks, but a lot of them don't stay that long. Some of them just stay long enough to make enough money to get to the next field.

Senator BELLMON. You are paid by the hour when you harvest broom corn, this is not stoop?

Mr. PEBEAHSY. Yes, it is not stoop labor.

Senator BELLMON. And it is $1 an hour?

Mr. PEBEAHSY. $1 an hour is what we got. The pusher gets $1.10.

Senator BELLMON. Does he pull broom corn himself?

Mr. PEBEAHSY. He does once in a while. Maybe his wife is in the field or one of his children. He is more apt to help them than anybody else. We have no squabbles against him helping his family.

Senator BELLMON. Who sets the price?

Mr. PEBEAHSY. I don't know. The Broom Growers Association, I presume.

Senator BELLMON. There is no effort on the part of the migrants to say we think we ought to have $1.25 an hour?

Mr. PEBEAHSY. Yes; we asked for it. We asked about a little higher wage and they said, "Yes; we can give it to you. We will give you the wage you think you are worth, but we will have to charge you for your house and your lights and the fuel that you use," which half the time is maybe just two little burners and sitting on one side is a couple of blocks to hold one leg up.

Most of the time it is not attached, it has a piece of rubber on it. There is nobody there to hear our grievances, we can't go to anybody.

Senator MONDALE. In your response to Senator Bellmon, what you are saying is while they might give you a little more per hour, they will deduct that, so you are no better off?

Mr. PEBEAHSY. No; we are no better off than what we try to ask for in the beginning. There is nothing we can do, because we are there with no money.

Senator BELLMON. Do they take any deductions from you when they pay you $1 an hour?

Mr. PEBEAHSY. No; just $1 an hour. Sometimes during the week if we need money, we borrow money and that money is deducted out at the end of the week.

Senator MONDALE. Do you pay interest on the money you borrow?

Mr. PEBEAHSY. No.

Senator MONDALE. Are you still being paid $1 an hour?

Mr. PEBEAHSY. Yes; we were last fall.

Senator MONDALE. What were you paid 5 years ago?

Mr. PEBEAHSY. 75 cents, that is what we got.

Senator BELLMON. I know you can't answer this question. How many Indians do you suppose, or Mexicans, are migrants in the New Mexico-Arizona-Colorado area? Do you know?

Mr. PEBEAHSY. I could not start to say, but I know there is well over—like in the sugar beets where we are now, there is about maybe 500 or 600 Indians there in that camp, in the one camp.

There is a lot still in there, they come in and they house them out to the different farmers and then they are still coming in that stays in the house. On one end of the camp we have Mexicans from Texas there that comes in.

Senator MONDALE. You don't get paid $1 an hour in beets, do you?

Mr. PEBEAHSY. No; but what we do get in beets is not enough. In this one particular job that we had just here about 2 weeks ago, five of us worked a 5.5-acre field. We had to borrow a little money to begin with to buy gas for our vehicle to go back and forth. After everything was taken out, we each got $17.50 apiece for about 7 days' work.

Senator BELLMON. Was this price agreed to when you started the job?

Mr. PEBEAHSY. We started out at $15.50 an acre. But some of the fields have rocks and so many weeds, they have two different prices. They have $15.50 and $18.95, but we can't get that high price, no matter. We talk and talk and ask and ask.

Mrs. PEBEAHSY. Some of them just pay $12.

Mr. PEBEASHY. Some get $12.50 and some $13.50. The farmer who is paying $12.50, we don't know because the Indian don't know the farmer that well, because some of them come and work the first time in the sugar beets. I and my wife and another old Indian lady are the only ones I know of that have been there for more than 5 years.

Mrs. PEBEAHSY. She is the one that told us she was working $12 an acre.

Mr. PEBEAHSY. $12.50 an acre or $13.50, somewhere in that line.

Senator BELLMON. How many hours does it take to weed an acre usually?

Mr. PEBEAHSY. One person can do an acre, but you have to really row, you can't stop.

Senator BELLMON. In a day?

Mr. PEBEAHSY. Yes; sometimes you can't get that acre.

Senator MONDALE. It depends a lot on the condition of the field?

Mr. PEBEAHSY. Just like that.

Senator MONDALE. If the field is dirty, full of weeds, it is awfully hard to do that?

Mr. PEBEASHY. It is awfully hard, very few, very few can do that. You have to be just about like a machine.

Senator MONDALE. Mr. and Mrs. Pebeahsy, Senator Bellmon or I may have to leave in order to take care of important business. However, we realize that you have come here all the way from Colorado, and Senator Bellmon has agreed to let Mr. Chertkov, counsel to the subcommittee, as well as other staff members of both the majority and minority side, to continue to ask you questions so that we may have your important testimony for our permanent hearing record. I do want to say, however, that I very much appreciate your coming to Washington to testify before the subcommittee, and I hope to return to the hearing shortly.

(Discussion off the record.)

Mr. CHERTKOV. You were discussing that you leave Oklahoma and go to Colorado, and that you know that there is work there. Is the work ready at the time that you get there?

Mr. PEBEAHSY. No. Most of the time we have to wait for a while, maybe a week, maybe 10 days. This time we waited about 3 weeks. But the company, Holly, helped us buy groceries to hold us.

But then what groceries we bought don't last forever, because my children and my wife and sometimes my brother-in-law and his wife and his three kids, we all join and take turns feeding, helping each other. When this groceries run out, well, we don't want to get into too big a hole, so we go to the trash pile and look for copper.

We know copper brings a little money, so we are out there when we are not working. We look for copper and whatever wires we find, we burn them and we roll our copper up together and take it to the junkyards and sell it and that way we help buy our groceries.

Or, we have something to pawn, like jewelry. We had her necklace, but she don't have it now. We pawned it to buy something to eat with. We were just getting started about a week or 10 days when we came here and we borrowed. We borrowed some money that we want to have of our own so we can buy a few things and we left some money for our children so they can buy whatever they want to eat.

All the jewelry that we have is pawned and my title to my vehicle is pawned and I hope to get them out.

Mr. CHERTKOV. Mrs. Pebeahsy, what kind of food do you cook for your children and your husband?

Mrs. PEBEAHSY. I don't know. I just buy some food from the store. I fix some bread myself, some when I am not tired. When I am tired, I get white bread for my kids.

Mr. CHERTKOV. You work all day and then have to come home and cook?

Mrs. PEBEAHSY. Yes, not all the time, just when I feel like to eat warm stuff for my kids and my husband, I fix it. When I am not tired. I fix it. When I am really tired, I just lay down and go to sleep, that is all I can do.

Mr. CHERTKOV. Do you usually get up at 4 in the morning?

Mr. PEBEAHSY. Yes, I get up around 4 in the morning and I cook for my family, my wife and myself and I cook food and put it away for my children, so I leave the oldest girl home in the morning to help to get the boy up and get him clean and get him dressed so he can go to a Headstart school.

Then later in the morning when it gets a little hot, we stop out in the field to try to rest for a while. I run back to the camp and pick up my daughter and let her come and help us for awhile, because she can't work no more than 8 hours a day according to the State law. But they seem to be awfully worried about working hours, but they don't care about what we receive for our work.

That is one thing I can't understand at all.

Mr. CHERTKOV. Your daughter goes to a Headstart school?

Mr. PEBEAHSY. The boy. And the girl don't go to school. She is 14 and we work, we let her work. But we can't work her over 8 hours a day. She wants to, but we can't do it, because there is always somebody somewhere maybe sitting off on the side of the road, just waiting for you to break a law of some kind, maybe even phone you.

We have never broken that law.

Mr. CHERTKOV. When did she drop out of school? Did she quit school?

Mr. PEBEAHSY. She left school in May. We left home May 5. She won't get back to school again until—if she is lucky—until November, maybe not even then. Or she may go to school if we are lucky enough to have money to get to Phoenix, she may go to school there.

Mr. STEINBERG. What grade is she in?

Mr. PEBEAHSY. She is in the seventh grade now.

Mr. STEINBERG. She is able to keep up?

Mr. PEBEAHSY. So far she has, but we always have to take our children out of school in the first week of May because that is usually when the sugar beets are ready to work. Usually we try to call before we go to be halfway on the safe side to where we won't have so much expense to us. Then this year we didn't have the money for what we are going to do and we went early and we got stuff there for 3½ weeks before we started working.

Mr. CHERTKOV. Has anybody from the State of Colorado ever asked her to go to school in Colorado?

Mr. PEBEAHSY. No. According to the law, I believe, there she said that 14 was eligible to work, but under 8 hours a day. My wife is not in the best of health, but she still works and I asked my daughter to come and work whatever time she can to work next to her mother and if her mother needs help, she is there to help her.

I don't usually stay up in the same place with them, because I try to work as fast as I can to get as many rows to the acre that we can get. That is why I know, I just have to do that. I have to ask my daughter because she is the oldest one we have with us.

Mr. CHERTKOV. Your boys are with you, too?

Mr. PEBEAHSY. Just one, just the 7-year-old boy.

Mr. CHERTKOV. Has he ever worked in the field?

Mr. PEBEAHSY. No. He was not working, you know, but he accidentally got ahold of a hoe and just about tore up all the beets and we had to keep all the hoes locked up in the farmer's barn. But we were not trying to make him work.

Just like all kids, he gets into mischief. But we would not ask our son to work. He is too small. He just plays around, but he is always wanting to help.

Mr. CHERTKOV. When you just arrive at a place, and there is no work, and it will be 3 weeks before there is work available, I think you mentioned that you cut down on the total number of meals at that time?

Mr. PEBEAHSY. Yes; we do. My wife and I do, but we don't cut the food for the children. My wife and I maybe in the morning we have coffee and roll, maybe at noon just coffee and then we try to have one good full meal apiece, my wife and I during the day, when we are not working.

So at least I know we are eating something and what we live on mostly is sheep. Sheep is one of the chief products in that part of the country and we buy these sheep. Usually the man that runs the camp usually has sheep and we can buy these sheep for around about somewhere between $12 and $14. Usually we get another party that needs that and we go in together and pay half and half, and then that is how we share, you know. We help cut the cost of each other for the full price of the sheep.

Mr. CHERTKOV. You slaughter it yourself and skin it?

Mr. PEBEAHSY. We slaughter and skin it and we don't have no time to cure food like a lot of people do. We have to use it then, immediately. But we try to hang on as long as we can without using the meat, because we can always have a little every day, a little meat every day in our food for our children.

Mr. CHERTKOV. What would the sheep otherwise be used for? Would the farmer sell them under any other circumstances on the market?

Mr. PEBEAHSY. I don't know, the person we buy this particular sheep in this camp, he buys them for that purpose. He buys them from probably a stockyard, and he raises them just to sell. That is what he is doing himself.

Mr. CHERTKOV. To farmworkers?

Mr. PEBEAHSY. Yes; to anybody that wants to buy it.

Mr. CHERTKOV. You mentioned your wife has not been feeling well. Does she go to a doctor?

Mr. PEBEAHSY. Last fall we were working in potatoes and she some way got hurt somehow and we had to quit work. We had to go back about 250 miles, maybe 300 miles from where we were working, back to the Indian hospital to try to get her admitted, which we didn't succeed at first because there was no room available.

All the operation appointments that they had were full plumb into late December. So we asked the doctor to get in contact for us with Gallup, which he did. He got her an appointment down there and we sent her that way immediately. She went in on a Monday and was operated on Wednesday morning.

In this potatoes, particularly where we was working, we were supposed to get $1.50 an hour, but the farmer says, let's do it this way and you are going to make some money, he says. He says, "I am going to give you $1.25 an hour." He said, "At the end of the job you will have 25 cents saved up for every hour that you worked," and he said, "By the time you get through here, you will have a fistfull of money," he calls it.

But a day and a half before the job was supposed to be finished, there was something went wrong somewhere. We got cut off so there went my bonus out the window and there I was with no money. So I borrowed from a man in town, this particular man that I go to, it is a barber man. I pawned my title to him for enough money for a tank of gas. That is all it takes me to get from Buena Vista to Farmington, N. Mex., one tank, that is good enough.

Most of the times I coast, if I can find a hill big enough to coast—well, I coast and I send the money back to the man when I get to where I know some of my friends can help me. That is how I wind up losing my bonus.

It is too much money, I guess, for them to have to give up.

Mr. CHERTKOV. Do you hear of this happening with a lot of your friends?

Mr. PEBEAHSY. A lot of them, not just only me. It happens to a lot of them. A lot of them they get stuck. We run into one once in a while and where we get together, maybe I and two or three other families that we know, we pool money and send him home.

We used to once here several years back live in a granary. That is when my family got sick and I asked the man during the early hours of the morning to take us to the bus station and he said, "I got no time, I am busy." I said, "It would not take you over 5 minutes to run 5 miles," and he said, "No; wait until the evening." They will take us to town.

Mr. CHERTKOV. This was the farmer?

Mr. PEBEAHSY. This was the farmer; yes. And yet we was good enough to work for him and live in this granary where you could lay down, have no bed, no stove. We cooked our meals outside on the ground and in the same granery you could lay down and count every star in the sky.

Mrs. PEBEAHSY. And the same man lets the people work in the rain, too.

Mr. PEBEAHSY. They make you work in the rain, not because you want to. It is when he has got his potatoes on the ground. If it rains, he is always afraid it is going to freeze, but he don't care about you.

All he cares about is them potatoes and that big stogie cigar he has in his mouth.

Mr. CHERTKOV. Would you say this is true for most of the farmers you work for?

Mr. PEBEAHSY. The ones we work for; yes.

Mr. CHERTKOV. When your little boy was sick, and when you went to the bus station late that night, where did you go?

Mr. PEBEAHSY. We caught the late bus, we caught the late bus back to Farmington. We didn't get all the way to Farmington.

Mr. CHERTKOV. What city did you leave from?

Mr. PEBEAHSY. Buenta Vista, Colo. We didn't get to Farmington. That late bus, when it left Buena Vista, it went through Durango, but it didn't go in through Farmington because it was a through bus from Durango straight to Albuquerque, so we were still about 18 miles from Farmington and about 55 miles from the Indian hospital where we stayed that night.

We didn't have much money and what we did have we paid for a room to get out of the cold, because it was way late in November. We had maybe around $25 or $30, what we could borrow from our friends and pawn stuff that we have.

Mr. CHERTKOV. What Indian hospital was that?

Mr. PEBEAHSY. Ship Rock.

Mr. CHERTKOV. What was wrong with the little boy then?

Mr. PEBEAHSY. Like I say, we lived in the granery and when it rained, you got water in the house, you got water in the granery. We had no beds, most of the time we slept on the floor.

We had blankets, but not enough for the floor and not enough for cover. That is how my son got sick. I asked the farmer why we have to live like this and even the health department from that county come out there and took our picture and that is all we heard of it.

We asked about it. We said, "What do you take these pictures for if you are not going to do nothing for us?" They said, "Well, I will see what I can do" and that was 5 or 6 years ago and I ain't never seen the man again. Maybe he was just acting, I don't know.

Mrs. PEBEAHSY. I think it was about 7 years ago.

Mr. PEBEAHSY. I went back to the Farmington office and I told the director there and I told him just how we were treated but he can't do nothing. All he does is recruit us for the farmer. That is the same story everywhere.

We can't get nobody. We can't sit down and talk to anybody. Who are they going to believe? They are not going to believe us. "Oh, yes, these guys just get drunk and tear up everything I put in there", but that is not so.

We admit, like I say, we have some boys that does do that, but on the whole not everybody. But that is no reason for them to treat us that way.

Mr. CHERTKOV. Do you think the farm labor service agent is doing his job?

Mr. PEBEAHSY. Somebody ought to do something for somebody somewhere. I don't know where it should begin or where it should start, but it's got to be done in a hurry.

Mr. STEINBERG. When you had to travel so far to the Indian hospital when your wife was sick and when your son was sick, weren't there any closer hospitals you could have gone to?

Mr. PEBEAHSY. There was, but the first thing they asked us for is have you got insurance. No; we don't have any. We can't buy it because we don't have the money to pay for it with. And the farmer surely is not going to take care of us. He is not going to help us. He says, "That is your problem."

Sure, sure, that is my problem and we try to do the best we can to get him to the hospital when we can. They don't care nothing about the migrant worker. He is just there to get what this farmer wants done and then after you get done, you are a tramp again.

The only time they do anything for you is when they need you and they come around and pat you on the back like a little pup. That is true.

Mr. JOHNSON. How is the care at the Indian hospital?

Mr. PEBEAHSY. Their care is good. They take care of you because that is their job and they are real good at it.

Mr. JOHNSON. Do you need more of them?

Mr. PEBEAHSY. We could use more. We could always use more.

Mr. JOHNSON. Is there a waiting list for beds?

Mr. PEBEAHSY. I don't know but on the Indian reservation in Arizona and New Mexico and Utah, they got over 95,000 Indians alone.

Mrs. PEBEAHSY. They treat you good, clean your bandages and clean sheets every morning, clean up every morning and every afternoon. They are not bad like the farmers.

Mr. PEBEAHSY. I just wish somebody here could come around, not come when somebody says so-and-so is going to come, he is going to come and look around and see how our workers live. let's fix up a little house, just as soon as he goes we will take them out and put somebody else in there.

Right after they announce they are going to come, we see them once in awhile. We see in the paper where so-and-so is coming down here.

They say we will fix up things and just as soon as they are gone to hell with them.

Mr. CHERTKOV. Do you have social security coverage?

Mr. PEBEAHSY. Yes; I have.

Mr. CHERTKOV. Does your wife?

Mr. PEBEAHSY. Yes.

Mr. CHERTKOV. Does your employer deduct for social security?

Mr. PEBEAHSY. That I don't know, I could not swear to that.

Mr. CHERTKOV. How are you paid, in cash?

Mr. PEBEAHSY. We are paid by check all the time, we are paid by check.

Mr. CHERTKOV. Do you get a check stub with it?

Mr. PEBEAHSY. No. We don't get no check stub.

Mr. CHERTKOV. So when you get the check you don't know what has been deducted?

Mr. PEBEAHSY. No. All we know is it has been deducted what we owe the farmer if we happen to borrow money from him. Outside of that I have always been told after you make a certain amount of money then you start paying your social security and I don't know how true that is; can you tell me?

Mr. CHERTKOV. Do you work as much as 20 days for one farmer?

Mr. PEBEAHSY. Sometimes we do.

Mr. CHERTKOV. Do you ever make more than $150 for one farmer?

Mr. PEBEAHSY. Not per person we don't: no.

Mr. STEINBERG. Does the farmer ever ask you what your social security number is?

Mr. PEBEAHSY. Yes; he does, he asks us. Then usually I don't know how this is in some places but then usually they always make it to where one person will draw the money up to a certain amount and then somebody else will switch in and he draws the money.

Maybe that is how this is done, I don't know.

Mr. CHERTKOV. Maybe that is a way of avoiding social security coverage.

Mrs. PEBEAHSY. Down at Phoenix when you are a worker—a piece worker, they always do.

They take a little money, like we work piece work by the hour, piece work in onions, carrots, and then for every so much amount of money you make they take several pennies out but they don't tell you what that pennies is for.

I have asked twice, two or three times. Oh, you know after awhile you know how much you are going to get or you get a slip showing where this went to.

But then I don't hear or I don't get no slip or maybe it has been lost in the shuffle somewhere.

Then in this particular example of this camp in Phoenix they have a square, on one end is Peoria Avenue that comes off of Black Canyon Highway, that is the only side that does not have no outhouse.

But this outhouse starts here and goes all the way around to this other end so you can't help but get the smell of any outhouse if you come from any direction. That is one of the filthiest places I have ever seen.

I don't see how in the world that labor department ever passes that camp. I don't.

Mr. CHERTKOV. Have labor department officials ever been there?

Mr. PEBEAHSY. If they have, I have never seen them. Because I did not wait here to look for them, I have to get out and work.

I don't know who comes, I don't know who has been there or who is going to be there. They don't announce to us who is coming. They don't tell us.

But I do know they have a big fancy looking office. Several years back I seen their office. It was no better than the house we were living in but now they have a hedge around that office.

They don't want to have to look at our camp, I guess, maybe, I don't know.

Mr. CHERTKOV. This is the State labor department or the Federal Labor Department: do you know?

Mr. PEBEAHSY. No: I don't know. I could not tell you, sir. I don't know who ever comes in. But there are several camps in Phoenix that are in that same shape, maybe worse.

Mr. CHERTKOV. How do you get medical service for your children? Do they get vaccinations?

Mr. PEBEAHSY. Yes: we get vaccinations through the Ship Rock and Indian hospital.

Mr. JOHNSON. The Indian hospital of the Public Health Service?

Mr. PEBEAHSY. Yes: that is right.

Mr. CHERTKOV. When you are in Colorado are you near a reservation?

Mr. PEBEAHSY. No: the nearest reservation is the Navajo Reservation which is about maybe 150 to 175 miles around through Durango or either Grand Junction and back down.

But there in Colorado in this Holly they take care of all our medical. That is the only place that I know of that they don't say you can just get so much with the medical attention.

You get all you need.

That is the only place I know of that is that way. But the others in San Louis Valley County in New Mexico they would not take care of you unless you had the money or unless you had a big chunk of insurance.

Mr. CHERTKOV. Are you registered to vote.

Mr. PEBEAHSY. Well, let me tell you. If there are any politicians here I don't mean to hurt anybody. I don't vote for nobody because nobody does anything for me.

I like to vote, but I, just like a lot of them, says, can't stay in one place where your residency is required.

I don't stay in one place long enough to vote.

But I read quite a bit anyway.

I am not, I don't hold no malice or grudge to anybody, who ever wants to run for office. Like they say it is a free country.

But in some places where we work we don't think it is free or it don't seem that way to us anyway.

But if these people that run for these offices would come out and see what we live in, like they go out and meet the people and find where we live or how we are living when we are working then they might do something for us, maybe.

But I don't know when that will be; someday, I hope.

But I believe we deserve having everything that was written in the Constitution. We are not getting it. I don' know why. We are just a forgotten bunch somewhere along the road. Somebody forgot to include the people that works the stuff that everybody uses.

I don't know where it is going to go but I just come to say what I just said.

I wish I had the money and the power to bring some more with me that can really give you a story that would really cheer you up. There is a lot of them, there is a whole bunch of the Indians.

I am not trying to raise Cain with the Government or the BIA. I am not talking about them. That is not my grudge to them. But I just think we deserve very better treatment.

Mrs. PEBEAHSY. About 2 or 3 years ago they had a guard in the place.

Mr. PEBEAHSY. They did for a while and there was a misunderstanding and that was cleared up pretty quickly.

Mrs. PEBEASHY. He cleared it up—he cleared the cops out.

Mr. CHERTKOV. The police were bothering you?

Mrs. PEBEAHSY. No; they had guards at the gate but they had a problem at that time.

The persons that don't drink, they tried to search us that year.

Mr. PEBEAHSY. They had a problem there with boys like everywhere else that were drinking and raising Cain.

They are searching all the cars and the people going into the camp where we come to work, voluntarily. So I told the superintendent there

I went to his office and I told him I don't like the way you are treating us and me.

I said I come here from Oklahoma and I said you did not come to get me with a guard and gun and I said I am going to see what can be done about this real quick.

Then my wife she called the chairman of the Navajo Tribe and he in turn called back to the office and that incident was taken care of very quickly and there was never any more guards there and we have all always told them that we are not going to stand for that.

So that was just the only incident there in Holly. But that was a misunderstanding that somebody did not think what they were doing at the moment.

Mr. CHERTKOV. Have you had any other situations when you traveled through a city, to buy gas or to buy groceries where you just were not accepted by the community?

You mentioned the hospital situation.

Mr. PEBEAHSY. I will tell you, Mr. Chertkov, we don't travel much during the day. We don't hardly travel during the day because during the day is the time when the children want to stop and again want something all the time.

For what limited funds we have we try to travel at night or late in the evening when it starts getting dark when we can travel on through the night and maybe once in a while the wife and I drink coffee to keep awake.

We don't travel during the day because we don't have the money.

But if we do stop we stop at night, somewhere we just stop alongside the road and nap for an hour or so and go on again.

But that is why we try to travel at night because we don't have the money. If the kids do want something we don't have anything to give them.

Mr. CHERTKOV. Will your daughter go on to college?

Mr. PEBEAHSY. I don't know, I am afraid to say now. If it happens I don't know, but we do have a good friend that is helping my son.

Mr. CHERTKOV. You would like her to, it is just the financial resources.

Mr. PEBEAHSY. Each tribe I guess has funds for their children but we don't think that any of our children at the rate that we are going in the migrant stream will stay long enough in one place to finish high school.

When we do leave home now and we go back, if we happen to go back if she is in the eighth grade now when we get back she will be in the eighth grade again next year because she missed out 3 or 4 weeks of school.

She has to go back to the same grade again and go over.

That is what has happened. That is why our oldest son now, one of the oldest sons we have with us he went back to the 10th grade 3 years in a row because he missed out 3 weeks, maybe 2 weeks.

Then we talked to a friend of ours in Boulder who was good enough to help my son to get to Pueblo to this school where he can get a general education diploma.

This man is Prof. Jonathan Chase. He is the kind of man that we like to see around every day.

Mrs. Pebeahsy. We don't know him the first time. My little boy know him first and he bring him to the house and we shake hands with him and started talking. I thought he was just a worker or how do you call it?

Mr. Pebeahsy. The way he was dressed at that time did not fit with his profession anyway.

We did not know who he was and we were leary of him ourselves just like we are of any person that comes into the camp and that is a white man and comes in to the camp.

We don't want to talk to him unless we know what he is there for.

Then we always try to feel him out. We did not know him when he told us what he was.

Mrs. Pebeahsy. You found it out in the newspaper?

Mr. Pebeashy. I found it—I seen him in the newspaper, and I did not think he was the same person because he did not look the same.

Mr. Chertkov. Let the record show that Prof. Joanathan Chase at the University of Colorado School of Law has worked with migrant workers as a farmworker.

Mr. Pebeahsy. He worked with us 2 years.

Mr. Chertkov. At times he does not appear as a law professor.

Mr. Pebeahsy. His nickname in the camp was Custer.

Mrs. Pebeahsy. My little boy and my kids call him Custer.

Mr. Pebeahsy. I believe he took every kid in camp riding on that cycle and he had and I believe we were all kind of very sad to see him go. But he is coming back again this summer, he told us.

At least we will have somebody there that we like.

Mr. Steinberg. Has Professor Chase been able to represent you as a lawyer?

Do you have access to a lawyer?

Mr. Pebeahsy. There was a group there last year.

I guess they came in late. So we did not get too well acquainted with them. But Professor Chase said they will be there maybe this time in the next week, maybe this week sometime I believe is what he was referring to.

A lot of people do get hung on car deals.

Mr. Chertkov. How does that happen?

Mr. Pebeahsy. Well the first time when we came in May 5, we seen these cars in these lots where they are marked down maybe $300 or $400 and then maybe another couple of more day and we go by the same lot and the cars are jacked up maybe another $150 or $200.

Mr. Chertkov. Why are the prices raised?

Mr. Pebeahsy. Because it is sugar beet time and they know the Indians are going to have a little money and they know if the Indian wants that car badly enough he will buy it.

That is how most of them buy their vehicles. They go back home or maybe from there they go up to Idaho country for potatoes.

That is how. Because they come in there on a bus and they have to have transportation to go on further north to another harvest which is potatoes.

That is how several of them pool their money together and go on.

Mr. Chertkov. You mentioned that the price on groceries is raised, and the price on cars, are there any other things like that you know of?

Mr. Pebeahsy. Those are the two chief ones.

Mr. Chertkov. Do you think the price of gasoline goes up?

Mr. Pebeahsy. Once in awhile they have a gas war. I don't know. While we were there this past week while we are getting gas in the morning the price went up one penny even before they put it in our tank.

I said go ahead and put it in there. Being as we are here we want—we can't worry about that penny. It was 33.9 and before we got the gas it was 34.9. I guess this company had to put the price of the gas up.

So I don't know myself. I just go ahead and pay what it says on the meter.

Mr. Chertkov. Would you like to tell us something, just as a mother, about how you feel with your husband working so hard.

Mrs. Pebeahsy. I don't really know. I don't know how to say it.

Mr. Chertkov. Is it difficult to raise children?

Do you make clothes for your children?

Mr. Pebeahsy. No; I buy clothes for my kids. They don't like what I make. They are not good for it. I buy my children's myself and I fix my clothes myself. For my kids I have to work for it and get some money and buy what they want.

I get it for them. I don't say "No." I can't say "No."

Mr. Williams (office of Senator Bellmon). In Oklahoma you can register in Cache and you can vote wherever you are. So if you want to start voting all you have to do is register and vote back there and write in for an absentee ballot and it will be mailed to you.

You can vote. It does not make any difference if you are in Kalamazoo. I roam all over the United States and I never miss an election. Incidently where did you go to school?

Mr. Pebeahsy. Fort Sill Indian School.

Mr. Chertkov. If there were any laws that could be passed, which laws would you think are most needed, are most necessary?

Mr. Pebeahsy. The law I would like to see most passed is to be able to bargain like our industrial brothers around the country.

If we think we are not being treated fair we would like to be able to sit down and negotiate for better treatment for a better price, a living wage is all we are after.

We are not trying to be multiple millionaires, we want to sit down and eat a half decent meal where we will be satisfied and we know our kids will be. We would like to see that come.

Now I don't know who sets these prices, the Government or the Agriculture Department, but I believe they maybe should come out and work for awhile and see how we do life and see how we make our money.

Since I have been here I have listened to some people, not here in this building, but they asked about how we live and what we eat, how we work, and I just tell them I can't explain it to you but all I can say is come and live and work with us and you won't have to just read a story somebody writes, you can live it first and know what it is.

That is better than sitting here telling you. It is a whole lot better. I have always been told experience is the best medicine. We live in a hogan, my wife and I when we are in New Mexico.

This past winter that is where we lived. When my wife went to the hospital I had no money. Just as soon as she come out she was able to travel we went to the office in Crown Point and we told them we have no money and had nothing to eat and were living in a hogan and my kids were not going to school because we had no decent clothes for them.

So they helped us out, the tribe did. The Navajo Tribe was good to help us out through the hardest part of the winter. For our fuel the Navajo Tribe had an open pit mine where we went and got our coal ourselves and you have to dig it yourself and the snow is biting you in the back end.

We went and got it to keep our children warm.

Mr. JOHNSON. Did your children go to school in the winter?

Mr. PEBEAHSY. After January 1 I put my daughter to school after we got a little money from the tribe to help her buy a few clothes and she got on the school lunch, they do that for all the Indians there around there because I guess they get Federal aid from the Government, I believe.

I am not sure but she did get on the lunch program for which she did not have to pay. But my young son did not come of school age until after the school started so he won't be going to school until this fall.

Mr. JOHNSON. He will be going into first grade?

Mr. PEBEAHSY. Yes.

Mr. JOHNSON. Where will you be?

Mr. PEBEAHSY. We are going to try to get him in the mission school, if we can. We put an application for it. Right there by my mother-in-law's home. It is a Brethren in Christ mission, is what they call it.

You pay a certain amount of money, 25 or 30 dollars a year and that takes care of that. I don't see how they can do it that cheap.

Mr. JOHNSON. And he will stay there the whole year?

Mr. PEBEAHSY. Oh, yes; it is a mission, they have a mission and a hospital right there too that they take care of all the schoolchildren.

Mr. JOHNSON. That is an all Indian school?

Mr. PEBEAHSY. Yes, just for Indian children.

Mr. WILLIAMS. Is that in Oklahoma?

Mr. PEBEAHSY. No, New Mexico.

Mr. JOHNSON. What city is that?

Mr. PEBEAHSY. It is about 30 miles southeast of Bloomfield, N. Mex. It is out there in the boondocks, what anybody else would say.

There is nothing but sage brush.

Mr. CHERTKOV. Do most Indians that do any migrant farm work speak English?

Mr. PEBEAHSY. Some, not very many.

Some maybe quit school, like my wife, she quit school in the third grade.

Mrs. PEBEAHSY. I can't go any farther up so I might as well quit.

Mr. PEBEAHSY. A lot of them get their education.

Mr. CHERTKOV. Why couldn't you go farther up?

Mr. PEBEAHSY. I can't go up, I was too dumb for it.

Mr. CHERTKOV. Does the inability to speak English have an impact on the life of these other Indians that are migrant workers?

Mr. PEBEAHSY. Yes.

Mr. CHERTKOV. Do you know from your friends of situations where they were having hardships because of language difficulties?

Mr. PEBEAHSY. Yes; we have it right there in Delta. Some can't understand English and they know my wife and I and they come talk to my wife and they talk to my wife and they talk to us and my wife talks to me and I interpret for them and I tell my wife what they say and she in turn will interpret back to the Indian.

That is how we get some of our sayings across to some. But they still don't listen.

Mrs. PEBEAHSY. I learned how to talk English from him and my kids, they talk English to me, that is how I learn a little more hard words now.

I was not like that before.

Mr. JOHNSON. Many of the people that you work with and their children could speak English much less perfectly than you do, sir, is that correct?

Mr. PEBEAHSY. Yes.

Mr. CHERTKOV. Do some of the places you work have both Mexican Americans and Indians?

Mr. PEBEAHSY. Yes; in all places, in Delta, in St. Louis Valley and also in Phoenix.

Mr. CHERTKOV. What relationship do you have with Mexican Americans.

Mr. PEBEAHSY. Our relationship with them is good because they are migrant workers just like ourselves we get along good with them.

We have no trouble because we are only trying to make a living just like they do. In this camp in Delta they have rows, four rows of homes, three rows belong to the Indians and this last row on this right side belongs to the Spanish people.

They stay on one side and we stay on the other but there is no fence in between. We communicate everyday, we talk to one another and we talk about our work and what kind our field is and how are the farmers paying us.

Mr. CHERTKOV. The conditions are the same on both sides of the camp are they?

Mr. PEBEASHY. Yes; they are both the same, one is not treated no better than the other.

Of course that is the only place I know of that it is that way.

Mr. CHERTKOV. Do you think that the cities that you both travel through, that Mexican Americans travel through and that Indians travel through, treat both groups the same?

Mr. PEBEAHSY. I could not say anything about that because like I said awhile ago I don't travel where I can stop and converse with anybody.

I try to travel at night. So I don't get to know.

Mr. CHERTKOV. If the Mexican Americans have problems with health like you were mentioning with your wife and your children, can they get health care any closer to where they work than you can?

Mr. PEBEAHSY. In Delta they can get the same treatment that we get at the hospital, the company pays for it. But elsewhere I could not speak anything about that. Probably just like us, like in the potatoes and we have to get what the sick person needs, or we sit home and try to bring them through ourselves.

Mr. CHERTKOV. Are there any Negroes in the area where you work?

Mr. PEBEAHSY. No, I have never seen any.

Mr. CHERTKOV. Are there any wetbacks?

Mr. PEBEAHSY. It has been talked about among the workers in the camp in several camps or different places where we have been, that they are around and especially in Buena Vista Center. I see these immigration officers they are around. So if the wetback is not there what are they doing there?

He has to be around there somewhere. We worked with one last fall. He worked right in the same bin we worked with and how he got his pay without his social security number I don't know.

But he got it.

Mr. Chertkov. Do you think the farmers brought him in?

Mr. Pebeahsy. I don't know, I could not say that.

He was there, he just told me he was there, he just told me he was a wetback and you could tell he was a wetback, and he is not dressed like the Mexican and he doesn't understand.

You can stand there and cuss him up and down one side and he won't know what you are saying. At least the Mexican American here knows what you are talking about to him but this boy did not know nothing.

But he worked anyway. And there were several of them in that potato growers warehouse. But who they stayed with I don't know.

We just see them come in the morning and go out in the evening and we don't know who they stay with.

Mr. Chertkov. You mentioned that the migrant labor camp in Phoenix, that the outhouses were on the rim of the camp further east from the road, so that they could not be seen from the road, is that right?

Mr. Pebeahsy. You could see them from the road.

They are not right along the road. But this Peoria Avenue comes off the main road from Flagstaff and this Peoria Avenue runs down here and the camp is right on this side here.

The outhouses are right on the rim, on the inside of the fence, and the outhouse starts and then your houses in there.

Mr. Chertkov. Would you say that most of the places that you have lived and where you have worked, are away from the road?

Mr. Pebeahsy. Yes. This farmer where we live for the broom corn is about maybe 4 or 5 miles off the road, where this place was where we lived where we all used the same outhouse, all of them, Mexicans and Indians and the children and we all used the same house.

It has been there I don't know how many years since I have been going there that I remember, that house has never changed except he moves it once in awhile when ever he feels like moving it.

Mr. Chertkov. If you went back to Colorado and called the health department about that situation, what would they say?

Mr. Pebeahsy. Nothing, they ask who are you?

I said I am an Indian migrant and my name is Frank Pebeahsy, I want to make a complaint.

"It will be awhile before we can come out there, but we will be there" and that is as far as it goes. They don't come out and talk to us, the worker, about the abuses that is being given to us or the women being treated.

They ask the farmer, he says, "Yes, I am going to correct it right quickly" and after he is gone, then he comes back again and the farmer says, I forgot about it. I was pretty busy but I will do it now."

It is the same old story, the same old cycle, word after word. There ain't nothing that we can do. We can go home, sure, but like I said we are there with no money.

We borrow money to go there but we can't make the farmer do anything.

We can ask him and that is all we can do, it is got to be people up here that can make these conditions change.

The laws have to be passed. They can be strictly enforced, not just to send somebody out there just stay for maybe four or five minutes, maybe five at the most, and they are gone.

You don't see them no more.

Mr. CHERTKOV. Is there anything more that you want to contribute, that you want to add to this record?

Mr. PEBEAHSY. No, there is not much more that I can add. But I would like to say this one thing, that I wish somebody would come out and see how we are living, that is all I would like to ask.

That is not much.

The Government here spends oh, I don't know what I read millions and millions across the countries for people, like foreign aid or some stuff like that, I don't know, I don't read the records that they have here, too good.

But they then have nothing for us, their own people.

Mrs. PEBEAHSY. They could help across the ocean, they should help us.

Mr. PEBEAHSY. They should change the laws for us to where we can have a decent wage to where we can walk down the street like everybody else with our head high.

Mr. CHERTKOV. It is a very frustrating process for us, too. We are trying our best and we are deeply appreciative of your coming here. You should feel assured that you have made an important contribution to the subcommittee's study of powerlessness.

Mr. PEBEAHSY. We will, sir. Thank you.

Senator MONDALE. Thank you very much again for coming to Washington to present your experiences as a migrant farmworker. Your testimony will I am sure, prove to be one of the most important parts of our hearing record.

At this point I order printed prepared statements, and other pertinent material supplied for the record.

(The material follows:)

REPORT OF THE
YAKIMA VALLEY PROJECT

Charles E. Ehlert

American Civil Liberties Union

Smith Tower, Seattle, Washington

March, 1969

"I was born in Grand Junction, Colorado and I am 44 years old. My parents are dead - they were from Guadalajara, Mexico, and never became U.S. citizens even though they lived here for a long time. I was raised in Pueblo, Colorado. My father did field work there and also worked in a steel mill and on the railroad - he never made much in any of these jobs. My mother never worked for a living until my father's death. She never made much money and things got pretty bad for us then. There were 19 kids back then, plus four step-brothers. Of all these only five are alive now besides me... They are all married and mostly do farm work, except the boy, ... who works in the same steel mill as our father did a long time ago. My dead brothers and sisters died mainly of pneumonia, though some died at birth too. Some died from accidents while they were working. In Pueblo I lived in an all Mexican barrio. Most of the people worked in the fields or in the brick yard or in the steel mill - they were all laborers..... My father died in the winter time topping beets, in Ione, Colorado. He was working in water and got pneumonia. I was six at the time.

"After that we traveled a lot to find work and I never really did get to go to school much. We went to Montana, Wyoming and other parts of Colorado, during the summer mostly working in the sugar beets. The whole family got about twelve dollars for weeding an acre of beets. So we were poor. In the winter we were always on relief. Welfare even helped us bury one of our step-brothers When I was in school, my mother used to go to school some times and explain that the reason I didn't come to school regularly was that I didn't have shoes. The principal would give us second-hand shoes and clothing. Once my brother even had to wear girl's shoes - that was funny in a way except that all the other kids were wearing better clothing and it made you feel bad. My mother did odd jobs too to get money for food, so we never starved.

"I worked too. I used to hire out to people and work in their kitchens making tortillas. Sometimes I made five dollars a day. I finally left school for good when I was fourteen. My mother said she took me out because a lot of girls were getting in trouble and running away. Actually it was because she was sick. Her feet were swollen a lot and sometimes she had convulsions. Because she was sick and because of the work I never did get to go to school more than about two or three months a year. We were traveling north and looking for work in the sugar beets - thinning, hoeing and topping the beets.....

"I don't travel much now and only work in the beets because I guess you could say I was born and raised in the beets..... Times are better for us now. We have a little money, though we owe a little too, and we own our car. We have a little in the bank for emergencies, because you never know when you'll need it again.

- Statement of a Mexican-American woman.

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FOOTNOTES 1

"A board-walled stockade, with a walk for guards and barbed wire around the top and with floodlights, probably can be completed by Monday night in order to house prisoners taken by the county in Thursday's labor agitation disturbances, said O.E. Brashears, county engineer, who has general charge of the work." Yakima Morning Herald, Saturday, August 26, 1933, page 5, column 4.

"If thou seest the oppression of the poor, and violent perverting of judgment and justice in a province, marvel not at the matter..."
Ecclestiastes 5:8

REPORT OF YAKIMA VALLEY PROJECT

By Charles E. Ehlert, Director March 1969

This report is based upon the work, largely during the summer of 1968, of the American Civil Liberties Union Yakima Valley Project, a pilot program to provide legal services for Yakima Valley farm workers, to participate in educational activities among farm workers, and to study the legal problems of farm workers, and the means of finding some solutions for them. This report incorporates a summary of the findings, observations and activities of the project staff. Much of the report is based upon conversations in the fields and camps of the Valley, with farm workers, local leaders, agency personnel and others who have worked with farm workers, and upon experiences in the courts of the Valley. Much of the legal research was done by law students on the staff during the summer of 1968.

1. YAKIMA VALLEY. The Yakima Valley is an arid basin on the eastern slope of the Cascade Mountains in the Columbia drainage of central Washington, through which the Yakima River and its tributaries flow. It extends from the high orchards in the bottoms on the Ellensburg, Naches and Tieton Canyons on the Northwest, southeasterly to the barren, brown Horse Haven Hills, a distance of about 60 miles, and from the Klickitat watershed below the glaciers of Mt. Adams, easterly to long sagebrush ridges paralleling the Columbia River, nearly 70 miles across at its broadest. The central Valley is a broad flat plain, watered by a system of irrigation ditches carrying water down from storage reservoirs in the Cascades, and is pinched together in the middle at Union Gap, where the Yakima River runs through a narrow notch between Ahtanum and Rattlesnake Ridges, dividing the Valley into Lower Valley, where row crops predominate, and the slightly cooler Upper Valley, where most of the tree fruits are grown. The central irrigated portion of the Valley averages about 15 miles in width.

Yakima County, which is roughly coextensive with the Valley, has an area of about 2.75 million acres, about one-half of which are irrigated. Two-thirds of the land in Yakima County is in federal ownership, in the Naches National Forest, the Yakima Firing Center, a military reservation, and the Yakima Indian Reservation. Much of the productive farmland and several of the Lower Valley towns, principally Wapato and Toppenish, are located on the Reservation, the land being either leased or deeded away by the Indians. The City of Yakima, located in the Upper Valley, is the Valley's largest community and the county seat. It is about 150 miles southeast of Seattle.

The permanent population of Yakima County is somewhat over 154,000, most of whom are Anglo-Americans ("Anglos.") Besides Anglos there are Mexican-Americans, the next most numerous group, Yakima Indians, Negroes, Filipinos, and a few Cubans. In 1960 "non-whites" in Yakima County numbered 6,293, of whom 3,007 were Indians, 1,626 were Negroes, 410 were Filipinos, 271 were Japanese and 92 were Chinese.[1]

The Negro population includes many people recruited as farm workers from one particular town in Louisiana, Jonesborough, and is largely located in and around the City of Yakima, with some families living in the Lower Valley, near the hops. The Mexican-American, Indian and other minority groups are heavily concentrated in the Lower Valley; Indians, in and around the towns of White Swan, Wapato and Toppenish; and Mexican-Americans, in and around Wapato, Harrah, Toppenish, Granger, Sunnyside and Mabton. In the absence of any accurate count, the Mexican-American population is variously estimated by the local O.E.O. anti-poverty program at about 8,000 and by the Mexican-American Federation at about 12,000. Mexican-Americans tend to work in the row crops of the Lower Valley, and Anglos, in the orchards of the Upper Valley.[2] The term "Anglo" is commonly used to refer to a white person who is not of Mexican ancestry.[3]

Migration has always been a part of the life in the Yakima Valley, since the earliest Indians made the annual trips to the Columbia River during the salmon runs, and to the mountains around Mt. Adams in the fall to pick berries.[4] These habits are still strongly ingrained in Indian life, as I learned when a law student sent to White Swan to interview an Indian woman over 100 years old found she had left for "the mountains" to pick huckleberries.

The Valley was first settled by Anglos after the Indian wars were settled by treaty in 1855, 200 people lived in the Valley by 1865,[5] and the population had grown to about 3,000 by 1880.[6]

A few Japanese farmers and Filipino workers had come to the Valley by the early 1930's.[7] When Filipinos first arrived in Toppenish around September 1928 to harvest field crops, they were forced to leave town by a "group" of local residents.[8]

During the 1930's many "Arkies" and "Okies" and other Anglo refugees from the drought states and the Dust Bowl, some of them dispossessed from their own land, came into the Yakima Valley, some via California and Oregon, seeking farm work. The same movements continue today, and Arkansas license plates are not unusual in the labor camps among the upper Valley fruit orchards.[9]

Among the Negroes in the Valley, a number have been recruited by Sicks Hop Ranch and Cahodas, Lancaster and Frank in Yakima since World War II from Jonesboro, Louisiana.[10] By 1968 the crew leader who had brought many of these people to Yakima had gained some notoriety, and it was hard to find a Negro from Jonesboro who didn't have a story to tell about "Willie Bob Singleton", usually one concerning broken promises and long rides in the back of a truck. The experience of this group is a model of the farm labor contractor system.

Mexican-Americans have come to the Valley since the 1930's. Neither Hathaway nor Landis mentions them in their studies of migrants in Yakima County. In 1947 Mexicans were paid 15 to 25 cents an hour to pick cotton in the Lower Rio Grande Valley, owing to the competition from Mexican nationals working in the United States.[11] Poor wages and a crop failure in the Rio Grande Valley in 1949 forced Mexican-Americans from Hidalgo County, Texas, into the migrant stream, many of whom have since settled out in Yakima County.[12]

> "Regardless of any grievances these individuals may have against society, we assert that their misfortune does not belong to us..." Statement by a committee of farmers, Yakima Morning Herald, August 15, 1933, p. 3, c. 6.

2. AGRIBUSINESS. The Yakima Valley is one of the richest agricultural areas in the United States, Yakima County ranking among the top 15[13] of about 3,200 counties in the United States in the total cash value of its crops, and having been as high as fourth.[14] A favorable climate, rich volcanic soil of the Columbia Basin, access to water and a supply of cheap labor have combined to create a strong agricultural economy, based upon two dozen or more major crops, recently valued at from $117,000,000 to $125,000,000 per year.[15] The apple crop is the most valuable, followed by hops, the oldest crop. Others include peaches, pears, cherries, prunes, apricots, grapes, asparagus, mint, sugar beets, potatoes, hay, barley, sweet corn, beans, berries and tomatoes.[16]

The main line of the Northern Pacific Railroad runs through the Valley, and the City of Yakima is the shipping point for the produce of the Valley. The cold storage capacity of Yakima is exceeded only by that of New York and Chicago in the United States.[17]

The County had a total labor force of about 55,000 in 1964, of whom about 45,000 were directly or indirectly associated with agriculture. Most of the non-farm businesses in the Valley were service or marketing concerns serving the agriculture industry and employing about 24,000.[18] Hired farm workers in Yakima County were paid $22.2 million in 1964.[19]

In 1964, 5,440 farms and ranches occupied about 2,099,942 acres of the area of the Valley, ranging in operation from small family farms to large, vertically integrated corporate enterprises.[20] Large food companies, farming thousands of acres in the Valley, grow food products which are marketed in regional and national markets under brand names such as Rainier Beer, U and I Sugar, Del Monte, Stokley-Van Camp, Welch and Green Giant. Typically, the ownership and management of these businesses is absentee.

The tendency has been toward more concentration of land holdings. Between 1959 and 1964, total farm acreage increased from 1,884,694 acres to 2,099,942 acres, total number of farms declined from 6,010 to 5,440, the average size of farms increased from 313.6 acres to 386.0 acres, the number of all farms under 200 acres each decreased, while the number of farms of 200 acres or more each increased.[20.1]

The agricultural industry is highly organized. There are associations for growers of each of the largest crops, for packing and marketing of major crops and there are powerful industry-wide organizations, such as the Farm Bureau and the Horticultural Society. The National Farmers Organization, a more militant association of smaller farmers, which originated in the Mid-West, is beginning to establish a presence in the Yakima Valley.

Agribusiness extends well beyond the private sector. The association of government officials --- police, sheriffs, prosecutors and legislators --- with private grower interests is so close that they can be regarded as extensions of agribusiness.

During the 1930's deputy sheriffs guarded hop camps, aided by the "Hop Patrol," consisting of State Highway Patrolmen, who kept camps and fields "under surveillance, day and night, always on the alert for 'labor troubles.'"[21]

When fruit pickers and growers (differentiated by white arm bands) fought a battle at Congdon's Castle in August, 1933, resulting in casualties on both sides, the Yakima County Sheriff arrested only the fruit pickers and not the farmers, and the Yakima County Prosecuting Attorney met with the farmers and County officials prior to filing criminal charges against the fruit pickers.[22] Among the farmers armed with pick handles who fought the workers, one of the first on the scene was E.A. Bannister, perhaps the same Edward Bannister later appointed by the Yakima County Commissioners to be a Commissioner of the Housing Authority of Yakima County, which operates run-down shacks for farm workers in the Valley.[23]

Sheriffs with delegated police powers can serve as recruiters when labor is in short supply. Here is a description of the work-release program operated by Bert Guns, Yakima County Sheriff:

> "The Yakima Valley labor pool is being supplemented with the help of eight County Jail prisoners who are being freed ahead of their release dates to help harvest the crops.
>
> "County Prosecutor Lincoln Shropshire said today he prepared orders for release of eight men from the County Jail. Their release was requested by Moxee area hop growers.

> "Shropshire said the releases were the culmination of pleas made both to him and to Sheriff Bert Guns by hop growers who could not fill their labor needs...
>
> "The releases were approved by Justices of the Peace George H. Mullins, Yakima; Raymond P. Reid, Toppenish; and E.V. Cain, Wapato.
>
> "Judge Mullins, who also presides in Yakima Municipal Court, said he received no request for early release of any city prisoner. He said he would be inclined toward leniency to some individuals if their presence in a hopyard or fruit orchard were requested." [24]

Legislators from agricultural areas provide exceptionally good representation for the growers. On October 29, 1968, a week before the November general election, the State Department of Health adopted revisions to the Labor Camp regulations, requiring installation of cold running water in cabins and separate sleeping rooms for parents of children over six in labor camps, to be implemented over a five-year period.[25] On November 19, 1969, Melvin W. Ammerman, President of the State Farm Bureau "called upon the 1969 Legislature to rescind new State Board of Health regulations governing camps for migrant farm laborers."[26] In February, 1969, Senator Jim Matson from Selah, whose wife Barbara is the Yakima Farm Bureau representative, introduced Senate Bill No. 474, which would exempt all existing labor camp housing from the operation of the new regulations. The bill was referred to the Senate Agriculture Committee, and Chairman Hubert F. Donohue of Dayton held a hearing on it at 8:00 A.M. the next morning, before the bill was even printed. No witnesses appearing to oppose it, the bill was voted out and sent to the Rules Committee within 24 hours of its introduction.[27]

The contrast between the huge subsidies of state and federal government for the agriculture business and the systematic neglect of farm workers and refusal to extend coverage of important labor legislation to farm workers, is itself evidence of the effectiveness of the political arm of agribusiness. During 1967, for instance, the United States Department of Agriculture paid an amount conservatively estimated at $2.3 million to Yakima Valley farmers in price support payments, of which about $789,331 went to 81 farmers in payments of over $5,000 each.[28] The same summer, Yakima County Deputy Sheriffs followed the Washington State Secretary of State around in a tour of make-shift migrant camps along the river bank, evicting the unemployed workers and their families.(to the dismay of the Secretary of State, who had told the people they could stay where they were.)[29]

> "The Mexicans who, in the territories aforesaid, shall not preserve the character of citizens of the Mexican Republic...shall be incorporated into the Union of the United States, shall be admitted at the proper time (to be judged by the Congress of the United States) to the enjoyment of all the rights of citizens of the United States, according to the principles of the Constitution..." Treaty of Guadalupe-Hidalgo, Article IX, February 2, 1848.

3. THE CYCLE OF POVERTY. A labor force of between 15,000 and 20,000 is needed to grow and harvest the farm and orchard crops in the Yakima Valley each year, of whom about 9,000 are migrants who pass through the Valley at some time during the growing season, working for periods varying from a few days to several months. The ethnic composition of the agricultural labor force in Yakima is not accurately known, but is estimated to be about 50% Mexican-American, 40% Anglo, and 10% Negro, Indian and others.[30] Ethnic composition of the migrant labor force for the State of Washington as a whole is about 40% Anglo, 41% Mexican-American and 10% Negro, Indian and other, a ratio which probably under-estimates the proportion of Mexican-Americans in the migrant portion of Yakima's labor force.[31] (Nationally, Spanish-Americans comprise about one-fourth of the migratory labor force.)[32]

Much of Yakima County's share of the million or more migrant farm workers and their families in the United States[33] is part of the West Coast migrant stream, consisting of perhaps a quarter of a million people. Typically, they move out of the Rio Grande Valley in Texas in the early Spring, following the crops, across the southwestern states, working in citrus fruits and vegetables, north through the central valleys of California and into Oregon and Washington. After the late summer crops are harvested, many who have made it as far as the Northwest go south to winter over in California or in the Rio Grande Valley. Anglo migrants follow somewhat different paths, a number of them originating in Oklahoma, Arkansas, Missouri and Colorado, and a larger portion of them wintering over in California.[34]

The demand for labor in the Valley is nearly zero during the winter months; it begins to rise slowly in March with pruning, rises to an early peak in June with asparagus, cherries and thinning in apples, slacks off through the summer, then rises to its greatest peak in late September and early October with the hops, followed by apples, and falls off precipitously in early November with the last of the late apples. The same seasonal pattern has existed for generations[35] and is the basic determinative factor in the "endless cycle" of "migrant life in the Yakima Valley," to which much of the spectrum of problems of farm workers can be traced --- poverty, lack of education, poor housing and health, and lack of economic and political power.

> "It has established a pattern of life into which people are born, live, and die, with very little fanfare, even among themselves." 36

Mexican-American families tend to be larger than others, the average size for those who have settled out of the migrant stream being 6.5 and the average size for migrant Mexican-American families being 6.2, as compared with 3.2 for Anglo farm worker families.[37]

In contrast to the great wealth of the Valley, the lives of Yakima Valley farm workers are ordeals of grim poverty, from which there has been little hope of escape and to which the more affluent citizens of the Valley, the local and state governments and most of the rest of society are largely indifferent. A United States Department of Agriculture study ranked the economic status of the rural population of Yakima County among the lowest two-fifths of rural populations of all counties in the United States, taking into account a composite of factors, including dependency rates, amount of income, length of schooling, and condition of housing.[38] Yakima farm workers suffer from low wages, lack of job security, poor health, high mortality and injury rates, inadequate nutrition, education and housing, discriminatory exclusion from the benefits of social welfare legislation enjoyed by others and a lack of political power. The most serious deprivations occur among the Mexican-American migrant farm workers.

With a growing season that begins in April and lasts until October or November, the schooling of children is often interrupted by travel. And because farm workers have little or no minimum wage protection, are paid low wages, and tend to have large families, their children are taken out of school to work in the fields to supplement the family income. Lacking the basic education necessary for higher paying job skills, the children are often locked into a life of relatively unskilled farm work, the lowest paying and third most hazardous occupation in the United States. The least educated among them tend to be the first displaced by farm automation. They have no union. The rest of society has excluded them from labor and social welfare legislation and has disenfranchised them, on considerations of race as much as anything else. Farm workers are not able to obtain justice and decent lives for themselves and their children through the normal political process.

In the cycle of poverty in which farm workers and their children are locked --- and especially the migrant Mexican-Americans --- lack of education, low wages, accidents, poor health, lack of job security, poor housing, disenfranchisement, lack of organization, hopelessness and governmental neglect and discrimination are both causes and effects of one another, and operate to continue the cyclical blight of poverty in their lives.

> "The natural consequence of this official attitude has been to foster a generation illiterate in both languages..." McWilliams, North From Mexico, p. 299.

4. EDUCATION. Children of farm workers attend school less than others, and children of Mexican-American farm workers attend school the least of all, and are less educated than others. Reasons reported for inadequate education of migrant children include sporadic attendance, problems resulting from multiple school enrollment, late entrance and early drop-out, language problems, employment of children to supplement family income, and lack of transportation.[39] The average migrant child in Washington in 1966 attended school only 21 weeks out of a 36-week school year. Mexican-American children among that group attended school on the average only 17 weeks, less than half the school year.[40] In 1966 nearly 10% of migrant children under ten years, and more than half of the boys between ten and fifteen years, worked in agriculture, in the State of Washington.[41] In 1966 in Washington 34% of the Mexican-American migrant children, but only 15% of the Anglo migrant children, missed school because of travel, while 7% of the Mexican-American migrant children, but only "a negligible number" of Anglo migrant children, missed school because they were doing farm work.[41.1] Median years of education for adults in the State of Washington was 12.1 years, but only 10.0 for adult Anglo migrants, 5.4 for adult Mexican-American migrants, and 4.2 years for Mexican-American heads of families who had come to Washington from elsewhere and settled out of the migrant stream.[42] About two-thirds of the Mexican-Ameri-

can migrants in Washington had "some difficulty in reading and speaking English."[43]

Physical segregation of Mexican-Americans and repression of Spanish speech in the schools in the Southwest, where the present adult Mexican-Americans have largely originated, is a major cause of the low level of education among Mexican-American farm workers.

Schools in Texas, Colorado, Arizona and California routinely segregated Mexican-American children from other children.[44] Suits to desegregate such schools, beginning with *Independent School District v. Salvatierra*[45] in Texas in 1930, were successful as early as 1946, eight years before the case of *Brown v. Board of Education*. In *Mendez v. Westmin ster School Dist. of Orange County*[46] (in which the American Civil Liberties Union appeared as amicus curiae) four Mexican-Americans sued on behalf of their children and 5000 persons similarly situated, and the District Court held that the provision of separate but equal school facilities for Mexican-American children was a denial of the equal protection of the laws guaranteed by the Fourteenth Amendment of the U.S. Constitution. The Court further stated:

> "The evidence clearly shows that Spanish-speaking children are retarded in learning English by lack of exposure to its use because of segregation..." [47]

Five years later, in *Gonzales v. Sheely*,[48] a similar case, the Court entered the following finding of fact:

> "...It is also clear that the methods of segregation prevalent in the respondent school district foster antagonisms in the children and suggest inferiority among them where none exists."[49]

An additional factor in the low level of educational achievement is the suppression of Spanish among Mexican-American children, and the rejection of bilengual education in the schools of the Southwest.[50] In New Mexico, the state Constitution requires that public schools "shall always be conducted in English."[51] In the name of a single "mother tongue," children in Texas schools who speak Spanish have been given spankings and made by their teachers to stand in a "black square" for an hour or so, to pay fines of a penny a word and to stay after school.[52] The effects of such policies on school children has been, first, to fail to give them a substantive education because of their unfamiliarity with English, the language of instruction, and second, to create a sense of frustration and lack of self-esteem.[53] This has led to a higher drop-out rate among Mexican-Americans than among other white or non-white population groups. In Texas in 1960 the median number of years of education completed by males 14 years of age and over was 11.2 years for Anglos, 9.4 for Indians, 8.3 for Negroes and 6.2 for Mexican-Americans.[54]

The relationship between low educational achievement and other socio-economic problems is cyclical. Lack of education is associated with poor housing, poor health and nutrition, and social disorganization, which in turn lead to a lack of education in the second generation.[55]

In the Bilingual Education Act,[56] Congress authorized grants to local schools to develop and operate special teaching programs for Spanish-speaking students, including bilingual educational programs, the teaching of Spanish as the native language and English as a second language, and the teaching of Spanish language culture.

Washington law now requires that "all common schools shall be taught in the English language,"[57] although it may be in violation of the Due Process Clause of the Fourteenth Amendment of the U.S. Constitution.[58] Recently the Joint Committee on Education of the Washington State Senate and House of Representatives recommended the amendment of Washington law to permit instruction of students (Mexican-Americans) in a language other than English (Spanish) "when such instruction is required to guarantee the educational advancement of the student."[59] This would enable Washington schools to participate in funds available under the Bilingual Education Act amendments to the E.S.E.A. A bill to implement the Joint Committee's recommendation has been introduced in the Washington State Legislature.[60]

Bilingual education programs have been operated on a demonstration basis in several states with Spanish-speaking populations.[61] Development of new school policies toward the use of Spanish by children of migrant Mexican-American families should be begun.[62]

Enforcement of child labor[63] and compulsory school attendance laws,[64] should also be encouraged.

Lack of education has been, now is, and will continue to be a basic key to the problems of migrants and farm workers, and should be a key point at which to have a long range effect on the problems.[65]

Although there is one Mexican-American priest in the

Valley, Father Jose Ybarra in Sunnyside, there are no Mexican-American doctors or lawyers. This year, however, there are over 30 Mexican-Americans from the Valley attending college in Washington, and one first year law student at the University of Washington who worked during the summer with the Yakima Valley Project, Lupe Gamboa, of Sunnyside.

> "Some 246 children will be born to migrant families while they are in Washington during the 1968 season; and ... of these, a dozen will die during the first year, eight from preventable causes. About ninety-five adult migrants will also die." Bernard Bucone, M.D., Director, State Department of Health.[66]

5. HEALTH. It is generally acknowledged that there is a relationship between the incidence of illness and low income, and that the lack of money, inadequate nutrition and unsanitary living conditions associated with poverty lead to more frequent and longer illnesses.[67] This relationship is grimly illustrated in data as to the life expectancy of farm workers in Washington.[68] The average life expectancy for a person in the United States is about 70 years. The average life expectancy for an Anglo migrant in Washington is about 65 years. A child born to a migrant Mexican-American family in Washington has a life expectancy of about 38 years; a third of them die at birth.

Hunger, malnutrition and vitamin and protein deficiencies are prevalent among the poor in the United States and tend to be high among migrant farm workers, causing widespread anemia and rickets, and vulnerability to other diseases, irreparably arresting mental development in children, and causing listlessness, withdrawal and a sense of failure and low self-esteem.[69]

Although Yakima County is not listed in Hunger, U.S.A. as one of the "hunger counties" in the United States, perhaps because the large relatively wealthy population in Yakima County produces higher average figures, I have seen hungry people and badly undernourished children in the labor camps in the Valley.

Farm work is the third most hazardous occupation in the United States, after mining and construction;[70] and every year there are injuries and even deaths caused by farm machinery, tools, chemicals and dangerous conditions on farms in the Yakima Valley.[71] Farm workers performing stoop labor tend to develop chronic back problems, as several of them told me during the summer of 1968. Fruit pickers in orchards fall off ladders with some frequency. Nevertheless, the legislature has left farm workers out of the coverage of the industrial insurance statute.[72] Hearings have been held to determine whether they should be covered by administrative act,[73] and the Director of the Department of Labor and Industries has ordered that hop workers and fruit pickers (comprising about 40% of the Yakima farm labor force) be covered,[74] although the growers' representatives were quick to introduce legislation to rescind this move when the Legislature convened in January, 1969.[75] Farm workers tend to be poor, they have only limited access to legal assistance and their families suffer when their income is terminated. Inclusion of all farm workers within workman's compensation coverage is an essential and long overdue step.[76]

Unsanitary and unsafe conditions in labor camps are the cause of many illnesses and injuries, major and minor. The drinking water in two of the largest labor camps, run by the Housing Authority of Yakima County, is obtained from taps which are immediately next to the garbage cans,which are insufficient and consequently often surrounded by excess garbage; wash basins and toilets were reported by tenants of the camps to have slime and accumulations of filth on the plumbing and floors. The head of one family living in Ahtanum camp told me that four of his eight children had suffered some illness or injury during six months in the camp as the result of unsafe and unsanitary conditions in the camp, such as broken glass, poisonous materials, collapsing cabin floorboards, burns, and infection from the showers.[77] Another farm worker in the Lower Valley described how his young son was burned to death in a one room cabin on a farm (in Washington but not in Yakima County) where he had gone seeking work, and how the grower attempted to conceal charred newspapers which had been stuffed into the holes in the wooden walls, and then had evicted him with his family of fifteen the same day.

The damage to mental health caused by indecent housing and the stresses of poverty is only beginning to be recognized.[78]

"A THOUSAND EXTRA APPLE PICKERS NEEDED THIS WEEKEND...Call one of your Grower Friends right now or contact the Washington State Employment Office CH 8-2550 Right Now. They'll assign you to a job. It's vitally important to our valley's economy..." Yakima Herald-Republic, September 30, 1965, p.21.

6. EMPLOYMENT AND WAGES. Farm workers in Yakima County are among the poorest in the United States. Although the average per capita income in the State of Washington as a whole was $3,200[79] in 1966, and the average family income in the entire state was about $7,000 in 1965,[80] the income of the typical migrant family in Washington in 1965 was about $2,300,[81] far below the $3,300 annual income for migrant families in New York,[82] and substantially below the federal "poverty line" of $3,000 family income per year. This $2,300 represents only an average for migrant families, however, and many families exist on less. The report of a firm retained by the State of Washington to study migrants in Washington concluded:

> "Perhaps the most striking conclusion of the survey was that the typical migrant family income was well below that level by which we normally define 'poverty.' There is probably no statistic which so clearly differentiated the migrant population as that which states that the average total annual income for a migrant family was about one-third that of the average family residing in Washington State." 83

Farm workers are paid either by the hour or by some form of piece rate. In Washington about one-fourth of the migrant workers are paid an hourly rate.[84] Others are paid by the box, bin, pound, or other measure. Median hourly wages for migrant workers in Washington were $1.46 in 1966.[85] A growers' survey concluded that median wages for all types of farm work were about $1.50 per hour, indicating that piece workers earned slightly more per hour.[86] Experience of the personnel of the Yakima Valley Project in 1968 tended to confirm the estimate of the growers' survey. Of the farm workers with whom the staff talked, most indicated they were being paid about $1.50 per hour. The median daily wages for all migrants in Washington were about $13.10 in 1966.[87] Stoop labor, most of it done in row crops by Mexican-American workers, was the lowest paying work, the median hourly pay in 1966 being about $1.41 according to the growers' survey.[88] To provide farm workers with an annual income equal to the average for the state, they would have to be paid about $5.40 per hour.[89]

The "bonus system" or "bogus system," as some farm workers described it, is a significant characteristic of the employment habits of growers. Typically, it is an arrangement by which the grower pays more money to workers who remain throughout the harvest. As growers describe it, it is an extra remuneration paid to workers over and above the hourly or piece rate promised, in order to assure the grower of a sufficient labor force to complete the harvest quickly. As farm workers describe it, it is an amount withheld by the grower from the wages of the worker and paid to him only at the end of the harvest. Reports of farm workers not being paid their bonuses are common in the Valley.

Farm workers tell of growers who find excuses to fire employees near the end of the harvest or provoke employees into quitting with rudeness and abusive treatment. One technique is for the grower suddenly to become dissatisfied with the quality of an employee's work near the end of the harvest after several days or weeks without complaint. One family told of a hop grower for whom they had worked until just before the end of the harvest who began yelling at them and verbally abusing them about their work and driving past them in a farm truck at a dangerous rate of speed as they walked along a dirt road on the farm, forcing them to jump off the road into the ditch. Personnel of the Department of Employment Security acknowledge that abuses occur because of the bonus system, but believe that such practices are limited to a few "bad apples" among the growers.[90]

None of the farm workers with whom the writer talked liked the bonus system, but most of them felt that when a grower states that the bonus is part of the employment terms, they have no choice but to accept it. The farm labor wage system, including the bonus system, is almost entirely a one-sided arrangement dictated by growers, with no element of bargaining or negotiation between the parties to the employment agreement.[91] Growers, organized into associations, such as asparagus growers, fix wage rates for labor.[92] Because farm workers are excluded from the Fair Labor Standards Act and the National Labor Relations Act, these activities by growers may amount to conspiracies in restraint of trade, in violation of state and federal anti-trust laws.[93]

Although under-payment or non-payment of wages is a common complaint among farm workers and may constitute a misdemeanor,[94] records of the Justice Courts in the Valley disclose no instances of prosecution.[95] Also, although the Department of Labor and Industries of the State of Washington is authorized to collect wages for employees "who are financially unable to employ counsel," without payment of any court costs and with broad subpoena powers,[96] that agency has made no effort to litigate the legality of adhesive wage agreements between employers and unorganized farm workers or the deliberate avoidance of paying bonuses, and in the Lower Valley at least, the Department of Labor and Industries does not vigorously pursue wage claims which amount to choosing between the word of an employer or that of an employee and does not bother with minimum wage violations (for other than farm work) of less than ten cents per hour,[97] notwithstanding the fact that a claimant seeking less than ten cents an hour will generally be less able to obtain legal counsel and advance court costs than a claimant seeking more than ten cents per hour, simply because less money is involved.

During 1967 and 1968, under R.C.W. 49.48.040, the Department of Labor and Industries took 4,939 wage claim assignments for the entire state, 233 of them from Yakima County, it referred 60 cases from the entire state to the Attorney General for action, it collected a total of $415.471.47 through persuasive action and legal action for the entire state, and although it does not keep separate records for Yakima County, its Yakima Office collected $16,708.82 for Yakima and Kittitas Counties. The Department states that it accepts a wage claim assignment "if the claim appears to be valid and enforceable in the courts, and if it is so small as not to be normally acceptable by attorneys." The Department does not consider that it can use its wage collection authority to accomplish changes in undesirable employment practices such as bonus system abuses and arbitrary discharges by employers to avoid paying bonuses. Efforts to publicize the Department's wage claim collection powers are largely by word of mouth and appearances before groups.[98]

Another statute gives employees a right to recover unpaid wages in a civil action, together with double the amount withheld, costs and reasonable attorneys fees.[99] Yet in a civil action brought pursuant to that statute by a Mexican-American farm worker against a labor contractor for recovery of unpaid wages, double damages, costs and attorneys' fees, the court awarded judgment by default for the amount of unpaid wages pleaded but refused to award judgment for the farm worker for double damages.[100]

Agricultural workers are excluded from the coverage of the $1.65 federal minimum wage statute,[101] although the Fair Labor Standards Act Amendments of 1966 now provide a minimum wage of $1.15 per hour for agricultural workers in an enterprise involving at least 500 man hours of labor in a quarter.[102] Farm workers are also excluded from coverage under the $1.60 per hour Washington minimum wage statute[103] by the device of defining the term "employee" so as not to include farm workers --- a legislative act giving official status to the invisibility of the rural poor.[104]

Washington statutes also exclude farm workers from coverage under the unemployment insurance system in the State of Washington,[105] and from coverage under the industrial accident insurance system in Washington.[106]

In 1966 about one-fourth of the growers advanced transportation costs for migrants, 91% of which loans were repaid.[107] Federal law makes it illegal to hold another to a condition of peonage,[108] a prohibition which covers an employer's forcing an employee to remain in his service in order to repay money owed.[109]

During the summer of 1968 a Mexican-American who lived and worked on an isolated ranch with his wife and five children told the writer that his boss had advanced his expenses for traveling from Texas, employed him at a salary of $225 per month, made advances to him for food, fuel and living expenses which totalled $856.45, and then, when he became interested in leaving to find a better paying job, told him that he could not leave because he owed the boss money. The farm worker and his wife accepted this as the fact. In another case a grower was discovered to be making out pay checks jointly payable to the worker and the local grocery store.

Farm workers are often recruited by labor contractors, who go as far as Texas and Louisiana to recruit crews of workers. Recruited laborers may travel north in their own cars, obtaining loans from the contractor, who is also the "crew leader." Or the contractor may provide transportation for them, such as the back of a stake truck. The contractor deals with the grower, agreeing on matters such as wages and bonuses. Opportunities for abuse and oppression are inherent in this system, and contractors are now regulated by both state and federal registration statutes.[110] The federal statute is based upon a finding that "irresponsible contractors" "exploit...migrant agricultural laborers,"[111] and requires that the contractor disclose to the laborers the area of employment, the crops to be worked, the transportation, housing and insurance provided him, the wage rates to be paid him and the contractor's charge for services.[112] It also authorizes the Secretary of Labor to promulgate regulations,[113] pursuant to which federal regulations have been adopted.[114] Although the Washington statute authorizes the promulgation of regulations for its enforcement,[115] as of July 24, 1968, none had been promulgated, and the Department of Motor Vehicles, to whom the legislature had delegated enforcement responsibility, had itself delegated responsibility to the Departments of Labor and Employment Security.[116] Fifty-two contractors have been licensed, however, of whom 27 are in the Yakima Valley.[117]

Some abuses continue under the contractor system, and I was told by farm laborers of instances of contractors failing to make the disclosures required by the federal statute, or of making false representations as to wages and working conditions at the job. One notorious crew leader has traveled to Jonesboro, Louisiana, for several years, to recruit a supply of cheap black laborers for a corporation farming in the Valley. Complaints are heard of his people being shut up in the back of a truck for twelve hours at a time, with little money for food and inadequate protection against the cold. The only occurance that I learned of that resembled a spontaneous strike among farm workers of the Yakima Valley occurred among this particular crew leader's laborers in 1967, when several of the men arrived at the job and believed they had been deceived as to the rate of wages they were to be paid by the grower, and walked off the job, taking other workers with them in a short-lived strike.

State and federal governments cooperate in the recruitment of farm laborers, with local growers placing orders with the Employment Service of the Washington State Employment Security Department for a specified number of workers by a specified time, the orders being transmitted by the local agency to the United States Employment Service, a federal agency, and through it to the employment agencies of other states, such as Texas.[118] The Yakima administrator of the Employment Security Department stated that the purpose of the recruitment plan is to "stabilize the economy," and described as "propaganda" the view that state and federal participation in interstate farm worker recruitment might have a tendency to provide a surplus of labor for Yakima Valley growers and to keep wages low and working conditions poor.[119] In the summer of 1967, however, there were large numbers of farm workers and their families stranded in the Yakima Valley without work, many living in cars, on river banks and under bridges. The Employment Security Department itself estimates the number of workers to have been about 2,100 to 2,500.[120] The total number of people involved, including dependents, may have been two or three times that number, 6,000 to 8,000. In recent years the Department of Employment Security has recruited from 2,700 to 3,000 workers from Texas annually, and in January, 1969, it sent two representatives to Texas to recruit workers to fill growers' orders for people to cut asparagus in Yakima, beginning in April.[121]

The federal government does require certain minimum standards for housing for farm workers recruited through "interstate clearance orders" by state and federal employemnt agencies, and the inspection of labor camps and certification of compliance is left to the officials of the state employment agencies.[122] In 1968 all of the labor camps in the Yakima Valley were on compliance waivers issued by the state officials.[123]

Federal regulations prohibit the interstate clearance . of recruitment orders for agricultural workers without assurances from the state agency that labor is not available locally or within the state, that adequate work is available, that the wages prevailing in the area will be paid and that adequate housing meeting federal standards is available.[124] Injunctive relief might be available to prevent the interstate clearance of orders in January for workers in April, when no assurance can be given that labor will not be available locally or within the state or that adequate housing is available.[125]

Agricultural workers are now excluded from coverage under the National Labor Relations Act.[126] Since the repression of labor-organizing activity in the 1930's, there has been no union organization among Yakima Valley farm workers, despite the fact that the Supreme Court of Washington has held in Krystad v. Lau[127] that a Washington employer not covered by the federal Norris-La Guardia Act may not, nevertheless, fire employees for engaging in union organization, and that employees so fired have a right to reinstatement and recovery of back wages, a decision which is probably applicable to agricultural workers.[128] Interestingly, the Yakima representative of the Farm Bureau has stated that the Farm Bureau would not oppose the organization of farm workers and would support the right of anyone to organize.[129] The inevitable tendency of an economic system devoid of labor organization to produce slums, malnutrition, disease, ignorance and "grinding poverty" was acknowledged by the Supreme Court of Washington in Krystad.[130]

Mechanization and innovations in farming are changing the patterns of farm work and it is estimated that they will result in a net decrease in the number of migrants employed in farm work in Washington of from 5 to 20% during the next ten years.[131] Changes in apple growing, notably the introduction and conversion to dwarf and semi-dwarf trees which can be planted closer together, are expected to lead to an increase in the demand for workers by about 15 to 20% by 1975.[132] Mechanical asparagus cutters have been built and tested, which may harvest all asparagus by 1975.[133] Although the production of sugar beets is already highly mechanized, machines are being developed to take over the remaining work, such as thinning, and a 35% decrease in labor requirements is predicted within ten years.[134] The result is apt to be that innovations in farm work in the near future will increase the number of jobs traditionally filled by Anglo workers, and decrease the number of jobs traditionally held by Mexican-American workers, in some cases substituting better educated Anglos operating machinery, in row crops such as asparagus and beets, for Mexican-Americans doing cutting, hoeing and other stoop labor. This problem may be compounded by the Anglo's possession of skills, such as mechanics and carpentry, that the Mexican-American does not possess, and by the Anglo's greater access to adult and vocational training.[135]

Growers use the threat of accelerated research and development of automatic farm machinery as a threat with which to resist progress in the provision of adequate wages, housing and field sanitation, promising, for instance, to switch from people to machines if they are required to provide indoor plumbing for their resident laborers.[136] These threats are taken seriously by observers,[137] and the consequences are too serious to ignore them. One study of migrant farm workers in New York concluded that the threat of mechanization was so serious as to warrant caution in resorting to unionization among farm workers and moderation in demands for higher wages, with emphasis instead on improving contractor practices and improving working and sanitary conditions.[138]

Mechanization poses a profound dilemma for those seeking to work considerable changes in the economics of farming for the benefit of farm workers. The prospect of a decrease in jobs and higher unemployment among farm workers as the price of achieving better wages, working conditions and job security for those who continue to work is a dilemma for which no demonstrably satisfactory solution has been found. Many people believe that the solutions finally worked out will involve not only the displacement of farm workers, but the end of many small farms, with more and more farm land coming under the control of "agribusiness" enterprises with greater capital, greater efficiency and productivity, and more stable labor needs.[139]

"Workers, who were interviewed, complained of great discomfort in these camps." Hathaway, The Migratory Worker and Family Life, p. 133.

7. HOUSING. Rural housing in the United States is on the whole inferior to urban housing, and some five million rural families live in deteriorating housing or housing so dilapidated as to endanger their health, safety and well-being.[140] Migrant farm workers are the most poorly housed of the rural population, with nearly a million workers and their dependents living in housing which typically is hidden from general view and lacks central heating facilities, running water, toilets, showers, adequate space or adequate weather protection.[141] Yakima County has long had some of the worst housing to be found anywhere.[142]

Labor camps are of two kinds, those located on farms and operated by the farmers for their workers, and those separately operated by either private owners or by the public housing authority.

While Yakima County has no building code, there are two sources of regulation for farm labor camps. One is the body of regulations of the Washington State Board of Health respecting sanitation in labor camps.[143] These deal with water supply, plumbing, refuse disposal, rodent and insect control, construction and maintenance of dwelling units, minimum space, ventilation, heating and lighting requirements, toilet, shower, handwashing and laundry facilities and other matters. Adopted in 1960, their requirements until October, 1968, were minimal and most of the housing in the Valley probably conforms with their quantitative standards, as apparently does most of the farm labor housing in the rest of the state.[144] Even the amendments of October 29, 1968, while they represent a step forward, still provide only minimum standards of decency, provide for a five-year compliance schedule, and allow waivers without restriction.

Another source of standards are those of the United States Department of Labor, pursuant to the Wagner-Peyson Act[145] establishing the United States Employment Service for the interstate recruitment of migrant farm workers, which regulations prohibit the placement of interstate clearance orders unless housing is available for the workers which meets specific Labor Department standards, as to campsites, water supply, waste disposal, structural conditions, space, ventilation, lighting, screening, egress and heating standards, garbage disposal, insect and rodent control, fire protection, toilets, washing and laundry facilities and other matters.[146] In 1968, however, federal standards were waived for all housing for farm workers recruited by growers through the Employment Security office in Toppenish, which covers the Lower Valley area.[147]

About 65 camps in Yakima County held Health Department permits in 1966, containing about 1,043 units with a capacity of about 3,954 people.[148]

One of the poorer camps in the Upper Valley, Ramblers Park, is owned by a lawyer in Yakima. The writer found no Negroes or Mexicans living in it in August, 1968, and Webster reported that Negroes and Mexicans are not admitted.[149]

One of the largest landlords in the Valley is the Housing Authority of Yakima County, which operates two farm labor camps, Ahtanum camp in the Upper Valley, with 237 units and a capacity of about 600 people, and Crewport camp in the Lower Valley, with 129 units and a capacity of about 672 people. The population of the Ahtanum camp is largely Anglo, and that of the Crewport camp is largely Mexican-American. The Ahtanum camp consists of two types of units, the "homes," which have separate rooms and indoor plumbing and rent for about $40 per month, and rows of "cabins," which rent for $5 per week. From the nearby county road only the painted "homes" are visible, situated under shade trees, and the site is rather pleasant in appearance. Beyond the few "homes," however, there are no trees and rows and rows of starkly barren wooden cabins occupy the campground. Crewport is similarly laid out. The following quotation from the complaint in a pending lawsuit against the Housing Authority and others, describes the cabins in Ahtanum:

> "2. Said cabins are constructed of unpainted and unfinished wooden boards and each contains one room with no interior partitions, approximately 15' 6" X 13' 8" in size, with a floor of rough unfinished wooden boards, some of which were full of splinters and were rotten, defective, full of holes and gaps and unable to support the weight of a three year old child. Each cabin contains a single electrical outlet, a light socket hanging from the ceiling. The electrical wiring is not substantial enough to carry sufficient electrical surrent for normal household use and becomes overloaded and dangerous with normal use.
>
> "3. There is no running water or plumbing in either of the cabins, and the nearest running water is obtained from an outdoor pipe, located within the garbage disposal area and surrounded by garbage cans. Community toilet, laundry and shower facilities are located in a separate building. Hot water is not available at all times and the showers are locked at night to prevent tenants from using them. Plumbing in the showers and toilets leak, and water and slime accumulate on the cement floor, creating conditions dangerous to health and safety. Laundry facilities are not provided in sufficient quantities

> and tenants are sometimes required to wait two or three days to wash clothing.
>
> "4. Each of said cabins were furnished with a table and two chairs, two steel bed frames, springs, and mattresses. Each cabin was provided with an iron wood-burning "Pride" model stove for heating and cooking purposes. Each stove is located approximately 2 to 3 feet from the only door in the cabin, and rests directly on the wooden floor, about one foot out from the cabin wall. There is no protective nonflammable material on the floor or wall under or around the stove, and the flue is not properly vented, causing smoke to leak into the cabin.
>
> "5. The grounds around said cabins and in the Ahtanum Farm Labor Camp contain extensive areas of weeds and grass a foot or more high, where infant children play, with scattered broken glass and refuse; the grounds are not adequately drained and collect standing puddles of mud and water and are infested with flies and mosquitoes during the summer months." 150

These two camps were sold to the Housing Authority of Yakima County by the United States for about $80,000, and the deed conveying them to the Housing Authority contains two conditions subsequent upon the breach of which the United States will have the right to reenter the property and reacquire title to it. One of the conditions is that the Housing Authority will operate and maintain the property for housing farm workers, and the other condition is that the Housing Authority shall not sell or lease the property except to a public or nonprofit agency.[151] On November 8, 1965, for a rental of $300 per year the Housing Authority leased about 60 acres of Housing Authority land adjacent to Crewport labor camp to a private party, who about January 5, 1966, assigned or subleased his interest to another private party who has farmed the land since then.

The Housing Authority rents the cabins on a weekly basis, requiring occupants to sign a document captioned a "Revocable Occupancy Permit," which nowhere uses the word "lease," which grants the occupant the right to use the cabin for living purposes for himself and his immediate family and which provides for termination by the Housing Authority at any time upon three days notice. A large placard, prepared apparently by the Health Department, captioned "Health Department Regulations," also uses the term "occupants," and mentions several duties of occupants (e.g., "Occupants must keep cabins neat and clean."), but mentions none of the Health Department regulations as to the responsibilities of landlords in which tenants might be interested.

Tenants in the Housing Authority camps are afraid of the arbitrary power of the camp manager, who has evicted tenants with threats of arrest, without notice or hearing, and for reasons known only to him.[152] One tenant who lived in a "cabin" in one of the Housing Authority camps told the writer that the camp manager had refused to rent a "home" to his family because they were black, and the camp manager indicates the race of black tenants on camp registration cards.[153] Others refused to sign affidavits for me about the labor camps because of fear that the manager would evict them. One meeting of Crewport tenants had to be conducted entirely in Spanish because the camp manager insisted on attending the meeting but did not understand Spanish.

On September 6, 1967, criminal complaints, signed by the Manager of the Housing Authority, were filed in Union Gap Justice Court against three persons, charging that each of them did on September 5, 1967:

> "...knowingly, wilfully and unlawfully Trespass upon the land of another; Housing Authority of Yakima County (Farm labor camp) by then and there taking residence without the express permission of Henry Schaffer, Manager of said Authority...against the peace and dignity of the State of Washington..." [154]

The three persons were Charles Wolfe, his brother Wayne Wolfe,[155] and Lynn Wolfe,[156] age 17, wife of Wayne Wolfe. The three defendants were arrested by a Yakima County deputy sheriff and the girl was booked into the juvenile detention home in Yakima. Bail for the two men was set at $100 by Justice of the Peace Leslie E. Vannice of the Union Gap Justice Court. Judge Vannice, who remembered the case, told the writer that they had lived in Ahtanum camp but that "they weren't wanted" perhaps because they were "troublemakers." Vannice stated that the manager went to the Yakima County Prosecuting Attorney, who advised him to wait until their current 30 day rent period had expired and then to refuse to "renew their rent" and to tell them to leave, and if they didn't, to file a trespass charge against them. Vannice also stated that the three left the camp when the manager refused to accept their rent, but that a friend of theirs then rented a cabin, allowed the three of them to move in and then just disappeared, turning the cabin over to them, after which the criminal complaints were filed. The Judge insisted that they were not "arrested," and that they were only taken out of the camp by a deputy sheriff, taken to jail, booked and released on bail.[157] When a local attorney agreed to represent the three defendants, the Yakima County Prosecuting Attorney dismissed the action.

The Chairman of the Board of Commissioners of the Housing

Authority is also a member of the Yakima County District Health Board. Commissioners of the Housing Authority are appointed by the Yakima County Commissioners, who are themselves elected. The Chairman is also an elected member of the Yakima City Council, by virtue of which he was chosen to be a member of the District Health Board.[158] The District Health Board has the authority to recommend, adopt and enforce local health regulations, as well as those promulgated by the State Board of Health.[159] The local Health Board in Yakima County might be expected to be most familiar with contitions in the labor camps and to be the source of local innovations in health and sanitation requirements. However, no local regulations have been forthcoming from the Yakima County District Health Board.

Local government in Yakima County has defaulted in its responsibilities ot ensure safe, sanitary and decent housing for farm workers, upon whom the wealth of the entire county depends. With no building code, fire code or local labor camp health regulations in Yakima County, the provision of minimum legal standards of decency for the housing of farm workers has been left to the state and the federal governments.

> "The migrant worker in Yakima is a 'necessary evil' in the oommunity. Encouraged by fruit growers to come to the region during the months of the harvest, he is welcome no longer after the fruit is packed and stored or shipped. His 'skidoo' notice is his passport to 'parts unknown.'" Hathaway, The Migratory Worker and Family Life, pp. 212-213.

8. WELFARE. Despite an attitude of some farm workers that they do not want to ask for or to accept welfare money, many families in the Yakima Valley are dependent upon some form of welfare and many more who need it are unable to obtain it only because of the durational residence requirements, which migrants generally cannot meet.

Although the Washington State Department of Public Assistance is comparatively an enlightened and fair welfare agency in its dealings with and treatment of clients, I observed more numerous and blatant examples of callous and unfair official behavior during three months in the Yakima Valley, than in the previous 18 months with the Legal Services office in Seattle.

The most obvious and common welfare problem is that of the durational residence requirement for public assistance.[160] The constitutionality of these and similar requirements is now the subject of litigation pending in the United States District Court in Seattle as well as in the United States Supreme Court.[161] Coincidentally, but not surprisingly, the original plaintiff in that class action was a Mexican-American woman from Mabton in the Lower Valley who had traveled to California with her husband and children seeking farm work, lost her residence, and then returned to Washington with her children. After she sought and was refused aid to dependent children from the welfare office in the Yakima Valley, she sought and obtained a three judge federal court to test the constitutionality of the residence requirements; Not long thereafter the Yakima County welfare reviewed her file and concluded that she had not lost her residence by moving to California after all, and granted her application for assistance, mooting the case as far as she was concerned.

Another common problem, especially among Mexican-American families, is that posed by the maximum grant provision[162] which limits A.F.D.C. grants to a maximum of $325.00 per month, no matter what the family size and notwithstanding the fact that actual minimum subsistance needs computed according to the Department's own standards may greatly exceed $325.00 per month. Grants for aid to families with dependent children are graduated according to the number and age of children, but the breaking point ordinarily comes somewhere between five and seven children, and families with more children receive no more money. The average size of Mexican-American families of former migrant farm workers in Washington is about 6.5 (4.5 or 5.5 children) and families with eight to twelve children are not unusual, indicating that this requirement is particularly discriminatory and burdensome for Mexican-Americans. The constitutional validity of maximum grant requirements is also the subject of pending litigation before a three judge federal district court in Washington.[163]

During the continuation of the Yakima Valley Project in the Valley, the writer also encountered threats to place liens upon the property of welfare recipients, under circumstances not authorized by statute; a caseworker who "forced" a recipient to marry the father of her child although she did not want to; a case worker who, upon learning that one of her clients had consulted an attorney and had asked for a fair hearing from one of her decisions, without communicating with the attorney, called the client in for a conference, threatened her with loss of a part of her public assistance grant and persuaded her to sign a document repudiating her attorney's request for a fair hearing; a supervisor who refused to permit examination of the welfare department's file for an individual after her attorney had requested a fair hearing, in violation of an express regulation;[164] a caseworker who refused to give 90 day emergency assistance to a family stranded in Washington without work, with an infant child, after the end of the asparagus harvest without evidence of a proper "motivation," and whose idea of a proper motivation was a motivation to move back promptly to Texas; a case worker who terminated a grant to dependent children whose father and mother were divorced after their father visited their house but did not stay overnight and did not pay their support, despite a recent United States Supreme Court case declaring the illegality of such a practice;[165] and a County Administrator who could not say what criteria govern the dispensing of 90 day emergency assistance and who did not want to overly publicize the availability of such assistance or to make the public assistance office "the first stop" for stranded migrant farm workers with families and no money for gas or food.[166]

The practices of welfare administrators in Yakima County in 1968 had not changed greatly since 1934, when Marion Hathaway reported:

> "The policy of the County Welfare Commissioner is to grant emergency assistance when absolutely necessary and to follow this with the service of a "skidoo" notice to the family. This notice, which quotes the provisions of the Pauper Act with reference to aid to non-residents, is a warning to the family that no further aid can or will be granted by the Commissioner. During the summer months, one clerk in the office is occupied mainly with preparing these notices which are served alike to families who have been refused assistance as well as to families who have received emergency aid."[167]

It is clear that long range solutions to the special problems of migrants lie in the direction of encouraging settlement out of the migrant stream, and with development of opportunities for year-round employment and community ties. The most important key to settlement, obviously, is an income during the months of late fall, winter and early spring.[168] The purpose of residence requirements is to protect the local taxpayers from the burden of additional welfare claims. These laws are inhumane and contrary to the concept of national citizenship,[169] and are especially unfair as applied to migratory farm workers who contribute substantially to the realization of over $616 million in farm income in the State of Washington.[170] Historically, they have served to keep the migrant farm worker on the move --- and consequently disorganized, unable to vote and politically weak.

If these laws are not declared unconstitutional by the United States Supreme Court, they can still be repealed by a responsible legislature, at the request of an executive concerned about breaking the "endless cycle" of migrant poverty. Abolishing these laws has been uniformly recommended by nearly every study of migrant farm workers.[171] In the absence of either legislative or judicial repeal, some limited modifications of their present operations might be accomplished by adoption of administrative regulations or pursuit of fair hearing and appeal procedures designed to extend the definition of residence to the maintenance of some relatively permanent ties or contacts, such as mailing addresses, drivers licenses, or personal property, with or in the State of Washington, even during periods of absence from the state.

> "Toppenish, August 17, 1931. - With his bride of less than a month hanging to his arm, Rolly Loomis walked with a line of 32 men down the streets of Toppenish to the city jail Saturday night, after police officers started a round-up of undesirable tasnsients."
> Yakima Morning Herald, August 18, 1931.

9. POLICE PRACTICES AND CRIMINAL PROCEEDINGS. Farm workers tend to have frequent contacts with the police and the police are especially zealous in the enforcement of the laws against farm workers, Indians, and others who are poor and unrepresented. The tolerance for arbitrary and even abusive criminal proceedings against such people seems to be high, probably much higher than it would be if the victims were middle class Anglo-Americans. Although the days are over when a Toppenish chief of police would call out over the police radio to his officer to "arrest them if they're niggers and buy them a drink if they're white," (and another man is now chief), nevertheless the selective and vigorous enforcement of certain kinds of laws operates as a very real form of discrimination against people whose life style is to be out of doors, on the sidewalks, and in cars much of the time.

Traffic and drinking offenses particularly are a plague on the lives of farm workers. Some of the arrests, charges and convictions are no doubt well deserved, as in cases of reckless driving and driving while intoxicated. But the zeal of law enforcement personnel leads to such things as a state policeman confiscating the driver's license of a Mexican-American farm worker without a hearing or charge or conviction, retaining it, denying that he had it until a witness was mentioned and then suddenly finding it and returning it.

The system operates in a lot of little ways. A Justice of the Peace allowed a Mexican-American to be questioned about prior traffic arrests over objection, "to test the defendant's memory." A Justice of the Peace on his own motion continued a traffic case when the Indian defendant showed up for trial but the policeman was absent, but issued a bench warrant for another defendant when he failed to appear for trial and the policeman was present. An Indian who never had a driver's license was told by a Justice Court that his "privilege to drive" was suspended, despite the absence of a statute authorizing such a suspension; the next time he was charged with the more serious offense of driving while this privilege was suspended.

A Mexican-American farm worker who is an alcoholic with numerous arrests for being drunk in public in Wapato, a town where the police are notoriously severe, was arrested for being drunk, searched, found to have a marijuana cigarette, and charged with a felony punishable by five to twenty years in prison, although the prosecutor has the choice of charging a felony or a misdemeanor and first offenses in other counties usually result in misdemeanor charges. He was assigned counsel "at public expense," subjected to two trials and one hung jury before the prosecutor could get a guilty verdict, then was given probation on condition he not drink and he pay some $675 in court costs which included the amounts paid to the assigned attorney. Finally, he was arrested, jailed and threatened with imprisonment for five years in the penetentiary if he didn't pay the court costs.

In another case, a young man home on leave from Vietnam was arrested, charged and tried for drinking a beer while under the age of twenty-one.

In the Lower Valley town of Granger, the Justice of the Peace, Myrtle Finley, stated that she could not remember any defendant being acquitted in her court, and reports for her court for 1966 disclose none that year.[172]

In a trial of a Negro youth before the same Judge on a negligent driving charge, the police officer who wrote the ticket and marked the traffic conditions on the ticket as medium, testified that he was at home fixing a can of soup at the time of the alleged offense, but heard about it later. During cross-examination of the officer about the traffic conditions, Judge Finley interrupted me, stating, "Earl's lived here seven years and he ought to know the traffic better than you, Mr. Smarty!" The same judge stated, at a hearing to reduce the $200 appeal bond from the negligent driving conviction, that she didn't know how much the appeal bond should have been because she had "never had one of these stinking things before," and records of her court for 1966 disclose no appeals that year.

In another case a Mexian-American farm worker reported to me that a state patrol officer had suspended his driver's license for 30 days and taken the license. More than 30 days had passed during which he had had to pay for transportation with a friend, and he wanted his license returned, but didn't know the name of the officer. Local state patrol officials told me they had investigated, talked to the officer on duty in the particular area at the particular time, and that he hadn't taken the license. When I mentioned that a local doctor was a witness to the taking, they produced the license within about 24 hours, explaining that the officer had "forgot" and left it in the glove compartment of his patrol car.

The one common problem in almost all of the criminal cases in which farm workers are involved is that the defendants are unrepresented. The large majority of the cases involve misdemeanor and city ordinance violations and the courts do not provide assigned counsel for indigents in such cases. The case of City of Seattle v. Hendrix[173] in which the issue is whether or not the constitution requires the appointment of counsel for indigents charged with misdemeanors, has been pending in the Supreme Court of Washington for about two years. Lack of counsel is probably the one single most important reason why these abuses flourish.

The local communities must derive a substantial amount of income from fines and forfeitures assessed against defendants in the police courts of the Valley. Information as to the amounts of money involved, however, was not readily available. When an accountant from the Yakima Valley Project asked to see records of the police courts in several towns in the Yakima Valley, in most cases clerical officials declined to permit inspection, offering various excuses, and the police matron in Sunnyside, who is the clerk of the police court there, stated that the records are not public records and refused to allow the accountant to look at them.

More ominous reports are heard in the Valley of mistreatment of prisoners, especially by some members of the Wapato police department; Wapato is on the Yakima Reservation and is inhabited and frequented by Indians, the town has a number of bars and Indians congregate on the sidewalks and in cars in the downtown area. Treatment of the Indians and Mexican-Americans in Wapato has left most of them terrorized, and too frightened to fight back or to give testimony, sign affidavits or even to talk freely about the Wapato police. Indians and Mexican-Americans who will discuss it tell of instances of the excessive use of force in making arrests by Wapato policemen, of intoxicated or crippled men and even pregnant women knocked to the sidewalk by police officers, of drunks yanked violently from parked cars without provocation and of the sounds of beatings in the Wapato jail.

In December 1967 Mamie James, a middle-aged Indian woman with rheumatic leg pains requiring the use of crutches was arrested by a Wapato policeman, charged with being drunk, her crutches were taken away from her and she was taken to jail, where she was knocked down and kicked when she protested. She gave a statement about this incident to Sheriff Bert Guns, who twice denied to a Yakima Valley Project representative that he had any written report of the incident.

In February, 1966, Leona Aviles, an Indian woman was helping another woman, who was intoxicated, along a sidewalk in Wapato, to take her home to the Reservation, when she was punched in the face and knocked down by Robert Wilson of the Wapato Police Department, who apparently wanted to arrest the other woman. She was pregnant at the time and gave birth to a premature baby not long afterwards. Her husband, Benny Olney Aviles, who witnessed the incident, was arrested and taken to the county jail for assaulting Wilson. The incident was reported to Sheriff Bert Guns who replied, when asked about it, "I just can't remember..."

In December, 1967, Paris Morrison, an Indian in his 20's was arrested in Wapato, booked, told he was a "punk," pushed around, and when he resisted, one or two Wapato police officers administered a beating with their fists, causing him to lose consciousness. Witnesses heard his screams and cleaned up blood in the jail. Sheriff Guns couldn't remember hearing about this incident.

Other reports about the Wapato Police Department involve mistreatment of an Indian girl who was deaf or mentally retarded, wanton and unnecessary beatings administered to a Mexican-American boy who was loitering, and to a Mexican-American man walking home peacefully at night in Wapato who tried to run away when a police car began following him with its lights out.

Indians also report that the Wapato police become more conscientious in enforcing the laws and making arrests about the time the Tribe distributes per capita timber checks and the local Indians have cash on their persons, and sometimes don't keep track of it.

In another notable incident, a Negro woman was arrested and held in jail by Sheriff Guns for over 30 days as a "material witness" and was not permitted to telephone an attorney. When the charges against the principal defendant were finally dropped and she was released, she was given $30. She was supposed to have heard a gunshot and was detained apparently because she was a farm worker and likely to go looking for work.

On August 19, 1968, Robert Childers was arrested on a federal interstate fugitive warrant. He was then charged by the Yakima County Prosecuting Attorney with being a fugitive from Tennessee. When no extradition proceedings were instituted by Tennessee, the Prosecutor dismissed the fugitive charge, on September 27, 1968. Two days before, on September 25, the Prosecutor filed a second complaint, charging him with being a fugitive from California. On October 7 the Prosecutor dismissed the California fugitive charge, leaving only the federal fugitive charge, which was dismissed on October 11.

Within a few minutes after being notified of the dismissal of the federal charge, Childers' lawyer, a Yakima attorney, went to the Yakima County Jail to procure his release. He was kept waiting 15 to 20 minutes. Finally Childers was produced, and was immediately seized by two men who tried to handcuff and chain him. Neither of them were police officers or sheriffs. Childers' lawyer tried to intercede but was pushed away. Childers was choked, handcuffed and chained by the two men. His lawyer protested to Sheriff Guns, who was present, but Guns ignored even his request for time to talk to his client. One of Guns' deputies then opened the locked jail door and allowed the two men to leave with Childers. One of the men showed Childers' lawyer a letter from a California bail bondsman, purporting to authorize him to return Childers to California, where he had apparently jumped bail. Before Childers left, Guns' deputy told him to sign a receipt for his personal belongings, which were not given to him.

Although criminal actions could be filed against Sheriff Guns and the two men, under various statutes,[174] and the Prosecuting Attorney is known to be resourceful in charging poor people with violations of criminal statutes, to my knowledge no charges have been brought against the Sheriff or the other men involved.

Nor has Sheriff Guns taken any action against Wapato police officers, although some of these matters have been reported to him. Nor has the Prosecuting Attorney filed any criminal charges against any of the Wapato police officers, although the reports are known to his office also.

> "We hold these truths to be self-evident, that all men are created equal...That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed..."
> Declaration of Independence.

10. VOTING. The washington Constitution requires that voters in Washington, among their other qualifications, be able to read and speak the English language.[175] Implementing legislation authorizes voting registrars to question applicants as to their ability to read and understand "some ordinary English prose."[176] The federal Voting Rights Act prohibits the administration of literacy tests unless they meet federal standards of uniformity.[177] Pursuant to that statute the Attorney General of Washington has ruled that literacy tests cannot be administered in Washington.[178] Allegations have been made, however, that voting registrars have administered literacy tests to Mexican-Americans who applied to register to vote in the Yakima Valley, which allegations are the subject of a pending lawsuit against all the voting registrars in the county.[179]

A state-wide study of migrants in Washington indicated that 71% of the migrants usually speak English in their homes. 22% speak-Spanish, and 5% speak both English and Spanish and 2% speak other languages, mostly Indian dialects.[180] The study also indicated that 78% of the Mexican-Americans speak Spanish in their homes; that 28% of the persons who do not speak English at home (nearly all of them Mexican-Americans) could not speak English at all; and that 69% of those not speaking English at home could not read English at all "or only fairly well."[181] Thus, about 6.7%

of the migrants could not speak English, and about 18.8% of the migrants could not read English at all or only "fairly well." Assuming a total migrant labor force in Washington of about 40,000[182] (a figure that is probably too low, since it represents only peak migrant employment in late September, and there is a constant turnover in the migrant labor force through the harvest season), about 2,860 people in the migrant labor force in Washington could not speak English, and about 7,520 could not read English at all or only "fairly well." Assuming that about one-third of the migrant force is employed in Yakima County[183] and that it has about the same proportion of migrants illiterate in English as does the state as a whole, then about 893 Mexican-American migrants in Yakima County cannot speak English and about 2,507 of them cannot read English at all or only "fairly well." Actually, the numbers are probably higher, because much of the rest of migrant labor force in other counties in Washington consists almost wholly of Anglos employed in the orchards, in Chelan and Okanogan Counties for instance, and Yakima County probably has more than one-third of the migrants who are illiterate in English. Most migrants probably could not satisfy the various residence requirements for voting in Yakima County (one year in the state, 90 days in the county, and 30 days in the precinct)[184] precisely because they are migrants. Nevertheless, the ability to vote is a potential community tie that is denied those who do not read and speak the English language, involving between three and seven thousand migrant farm workers in Yakima County.

If the same ratios hold true for the Mexican-Americans who are more or less permanent residents of the Yakima Valley, and assuming conservatively that they number about 8,000,[185] then about 536 Mexican-American residents of Yakima County cannot speak English and about 1,504 of them cannot read English at all or only "fairly well." All fifteen hundred of them are actually or potentially disenfranchised by law and are unable to participate in the normal political process of government in the county where they live, pay taxes, and either obey the laws or pay fines for violating them.

The discriminatory ad hoc literacy tests allegedly being administered to Mexican-Americans by Yakima County voting registrars are said to consist of such diverse things as reading from lists of names and from a water bill. In addition, the printed registration form used by Yakima County registrars contains an oath which must be signed in order to become registered and which contains the statement "...that I am able to read and speak the English language."[186] No standards exist to enable either the registrar or the applicant to figure out how many words of English and which words the applicant must be able to read and speak, and the criteria seem to be the subjective judgment of either the registrar or the applicant, who is required to expose himself to criminal prosecution for perjury if he guesses wrong. Although one Washington case[187] indicated that reading knowledge of the candidates' names on the ballot was sufficient, there is no evidence that Yakima County registrars are aware of the decision, that they intend to abide by it or that they have ever applied such an interpretation to the rather vague constitutional and statutory requirement of literacy.

Washington is one of only about 17 states with literacy requirements for voting. With a few exceptions these states stretch from Washington in the northwest corner, along the west coast, across the southern border and up the east coast to New Hampshire and include only one interior state, Wyoming.

Viewing language as an aspect of racial or ethnic differences, it is apparent that the disenfranchisement of persons who are not literate in English is a technique of racism, designed to enable certain ethnic groups to maintain control over the institutions and policies of government and to prevent others, differentiated chiefly on racial and ethnic grounds, from participating effectively in the political process of government.

There are not enough Mexican-Americans in the Yakima Valley alone to have a decisive effect on most elections. But their complete enfranchisement would change the political equation in Yakima County and would give them a measure of political power, and the elected officials of the Valley could not afford to continue to ignore totally the demands and interests of that group of people. Not surprisingly, local elected officials and the local newspaper in Yakima have resisted and ridiculed efforts of Mexican-Americans to become registered and to vote.

The registration procedure itself is intimidating and sometimes humiliating to Mexican-Americans, even to those who do read and speak English. They are treated with condescension and suspicion. As a group they do not show a strong motivation to solve their problems through the processes that middle class Anglo-Americans have come to regard as "normal" --- that is, through hard work, education, and political leverage. The effect of the kind of treatment given to Mexican-Americans who try to register to vote is to create anew and reinforce the suspicion and political disengagement that is prevalent among them.

The Yakima County Auditor, himself an elected official, has the power to appoint deputy voting registrars for rural precincts in the county.[188] With this authority the Auditor has appointed about 35 deputy registrars in the Valley, none of them Mexican-Americans. When a group of Mexican-Americans working on voting registration met with the Auditor and a representative of the Yakima County Prosecuting Attorney, also an elected official, the Auditor refused to appoint the Mexican-Americans who volunteered to serve as deputy registrars, saying that he had no power to appoint them.[189]

To encourage maximum registration among Mexican-Americans and other members of minority groups the Auditor could also appoint mobile deputy registrars to go out to homes and register people.[190] He has not appointed any and refuses to.

The Auditor seems to be more interested in finding excuses not to get voters registered in order to maintain the political status quo in Yakima County than in having people vote. The exclusionary effect of the Washington Constitution and implementing legislation is nicely suited to these purposes and to keeping political power in the hands of county commissioners, prosecutors, sheriffs, auditors, housing authority commissioners and health board officers who are sympathetic to the interests of growers and uninterested in finding solutions for the problems of the poor in Yakima County.

> "We are staying in this fight to organize the workers. We will not give up until we have succeeded in the task we have set for ourselves..." Cesar Chavez.

11. ORGANIZATION. There has been practically no organization among farm workers now in the Yakima Valley, and there is still no union organizing activity among them.

The last time major organizational efforts were made in the Valley may have been in the 1930's. In August, 1933, striking fruit pickers assembled near Congdon's Castle, a castle built in the orchards about ten miles from Yakima. When it was reported that they had disturbed some shrubbery, growers arrived, beat them with pick handles, injuring many (and sustaining injuries themselves), and marched them to the Yakima County Jail. There they were put into a hastily constructed stockade, complete with overhead walkways for guards and floodlights. They remained there for several months, until the spring of 1934, while an obliging Prosecuting Attorney filed miscellaneous charges against some of them. Occasionally some were taken out at night by vigilantes, tarred and feathered, and sent on their way. When strikers assembled in nearby Selah, the National Guard scattered them with tear gas bombs, bayonets and machine guns. The editorial column of the Yakima Morning Herald urged the growers on to vigilante action, noting their inclination to handle the problem "in their own summary manner."[191]

Organization of farm workers is difficult for several reasons: the seasonal nature of the work, the migratory habits of many of the workers, the resistance, hostility or lack of encouragement from other groups in the community, the tradition of rugged individualism among Anglo farm workers, and not the least among them, the considerable disengagement among Mexican-American farm workers. They are people who have been ground down by the rest of society for so long that many are psychologically conditioned to being treated unfairly, to getting none of the wealth of the soil that they produce, to being treated little better than domesticated animals would be treated and sometimes worse.

Farm workers, Mexican-Americans and Negroes are uninformed about rights they do have and unaware of the kinds of reasonable political and economic expectations they might begin to strive for. Being cheated out of a bonus is often regarded as something of a misfortune, but, like bad weather, not something that much can be done about. There is a reluctance among farm workers to speak out about abuses by police or growers. Those who have attained the security of steady work sometimes become silent and unwilling to displease the growers upon whom the security of their families depends.

There has been some activity, nevertheless, and there is likely to be more in the future.

The Yakima Valley Council for Community Action, organized in 1965 as part of the O.E.O. war on poverty, has established three community centers in the Upper Valley and four in the Lower Valley, and some of the center personnel have been aggressive in finding the people out in the camps and in following through with help for their problems. Other center staff personnel, however, have not been so aggressive. In 1968 the Yakima County Commissioners, who are the most powerful political force in the Valley and are closely identified with grower interests and growers themselves, announced their intention of exercising their option of the Green Amendment of 1967 to the Economic Opportunity Act and taking over the Y.V.C.C.A.,[192] which indicates that its potential for achieving substantial institutional change may be somewhat limited.

Two new organizations were formed in 1967, by two men who are former farm workers, both of which are independent of O.E.O. programs and are financed by their own membership and by some modest grants from non-governmental sources. The United Farm Workers Cooperative was organized in early 1967, largely as the idea of one man, Tomas Villanueva, to provide farm workers with additional buying power through the cooperative merchandising of groceries, and to bring together the Mexican-Americans of the Valley and provide a means for them to bring their interests and demands to bear upon the power structure of the Valley. Located in Toppenish, the Co-op began with a membership of 80 farm workers and a total capital of $1,100, raised from the sale of $5.00 membership shares. It has become a center of activity among Mexican-Americans of the Lower Valley and publishes a weekly newspaper, "Unamanos!" ("Let us Unite!"), which is distributed throughout the Valley. Villanueva and the Co-op have been instrumental in the adoption of a new and stronger set of health regulations for labor camps and in the pending inclusion of farm workers within the coverage of the state industrial accident laws. In addition, the Co-op was instrumental in the organization of the Yakima Valley Project which provided legal assistance during the summer of 1968. In less than two years the Co-op has grown to a membership of about 850 and a total capital of about $8,500, it is negotiating for the purchase of the lot and building where its store is located and is planning to expand its operations to include a discount gasoline station and a cooperative agricultural processing and marketing enterprise.

The other organization active in the Valley is the Mexican-American Federation of Washington State, organized in November, 1967, by Sam Martinez to represent and promote the economic, social and cultural interests of Mexican-Americans and to achieve political power for Mexican-Americans. Martinez, who once followed the crops from the Rio Grande Valley with his family, is now the Director of the Y.V.C.C.A. in Yakima. The Federation has chapters in four areas of Washington where there are Mexican-American populations, besides the Yakima Valley. During 1968 it conducted a voting registration drive among Mexican-Americans and organized and financed the campaign of a Mexican-American candidate for Yakima County Commissioner who, though unsuccessful, polled over 12,000 votes, more than was thought possible for a previously unknown Mexican-American candidate. The Federation, along with four farm workers, has also commenced a law suit against the voting registrars to have the English literacy requirement declared unconstitutional, to put a stop to the administration of literacy tests, and to have Spanish-speaking voting registrars appointed by the Yakima County Auditor.[193] In July, 1968, members of the Federation requested the Yakima County Prosecuting Attorney to remove the Chairman of the Housing Authority from office, owing to his also being on the Yakima County District Board and having a conflict of interest in the two offices, but the Prosecuting Attorney refused to do so.[194]

During the late summer of 1968 tenants' organizations sprang up briefly in the two farm labor camps in the Yakima Valley operated by the Housing Authority. The Crewport Tenants' Council chose Merced Castillo, a quick, self-possessed Spanish-speaking Mexican-American from Texas as its leader; and the Ahtanum Camp Improvement Committee chose for its leader Walter Waterhouse, a retired fruit picker from California and Colorado to whom many of the camp tenants had previously looked for advice and leadership. Both organizations flourished briefly, acquired memberships of perhaps a couple of dozen each, met with the Yakima County Commissioners and the Housing Authority Commissioners with demands for improvements in the camps, and then faded at the end of September, when the harvest was over, work became scarce, the nights became cold and the leaders and most of the members left the camps, some to travel south to winter over in the Rio Grande Valley. The Commissioners of the Housing Authority, who are long time residents and know the agricultural business, made no improvements.

Despite the difficulties and obstacles to organization in the Valley, there is now a greater militancy among the resident farm workers there than there has been in the past, and the growing season will probably bring new efforts and a greater awareness among farm workers of the effectiveness of concerted political and economic activity.

FOOTNOTES

1. See Washington State Department of Agriculture, Yakima County Government, 10 (1964); Mexican-Americans and persons with Spanish surnames were enumerated in the white population in the 1960 census. See U.S. Department of Agriculture, White Americans in Rural Poverty 2 (Agricultural Economic Report No. 124, 1967). The special census of Spanish-surnames people was limited to five Southwestern states --- Arizona, California, Colorado, New Mexico and Texas. U.S. Bureau of the Census, U.S. Census of Population: 1960 (Supplementary Reports, Series PC (S1)-55, 1968).

2. 3 Consulting Services Corporation, Migrant Farm Workers in the State of Washington 5 (1967); 2 *Id*, 58. (Hereafter cited as Consulting Services Corporation.)

3. See C. McWilliams, North from Mexico 8, 9 (1949); James, Langdon, Langdon, Pataki, Webster & Patterson, The Endless Cycle 25 (1967).(Hereafter cited as The Endless Cycle).

4. Washington State Department of Agriculture, Yakima County Agriculture 1 (1964).

5. *Id*. at 2.

6. League of Women Voters of Yakima, Profile: Yakima County Government 1 (undated).

7. Landis & Brooks, Farm Labor in the Yakima Valley, Washington 40 (1936).

8. Hathaway, The Migratory Worker and Family Life 94 (1934).

9. Landis & Brooks, *supra* note 7 at 32, 43, 51; C. McWilliams, Ill Fares the Land 53 (1942).

10. The Endless Cycle, *supra* note 3, at 93, 94.

11. See President's Commission on Migratory Labor, Migratory Labor in American Agriculture 79 (1951). Chase reports that Mexican-Americans working in Colorado beet fields in 1967 earned as little as $.30 an hour. See Chase, "The Migrant Farm Worker in Colorado - The Life and the Law," 40 U.Colo. L. Rev. 45 (1967).

12. The Endless Cycle, *supra* note 3, at 27.

13. League of Women Voters of Yakima, *supra* note 6, at 4.

14. C. McWilliams, Ill Fares the Land 62 (1942).

15. 1 U.S. Bureau of the Census, Census of Agriculture, Part 46, 282, 283 (1964); League of Women Voters of Yakima, *supra* note 6, at 4.

16. League of Women Voters of Yakima, *supra* note 6, at 4.

17. *Id*.

18. *Id*.

19. 1 U.S. Bureau of the Census, Census of Agriculture Part 46, 297 (1964).

20. League of Women Voters of Yakima, *supra* note 6, at 2.
20.1. 1 U.S. Bureau of the Census, *supra* note 19, at 282-283.
21. C. McWilliams, Ill Fares the Land 64 (1942).

22. Yakima Morning Herald, Aug. 25, 1933 at 12, col. 3 ff.; C. McWilliams, Ill Fares the Land 64-66 (1942).

23. Yakima morning herald , Aug. 25, 1933 at 12, col. 3; and see complaint in *Buttrey v. Housing Authority of Yakima County*, No. 51991 (Super. Ct. Yakima County, filed Dec. 6, 1968).

24. Yakima Herald -Republic, Aug. 29, 1967, Page 1, Col. 6.

25. W.A.C. 248-60-010 *et seq*.; W.A.C. 243-62-010 *et seq*.

26. Seattle Times, Nov. 20, 1968 at 23.

27. Seattle Post-Intelligencer, Feb. 28, 1969 at 10, cols. 4,5.

28. H.R. Doc. 16913, 90th Cong., 2d Sess. 1463, 1464.

29. Statement of Lee Luckson, former Director, Yakima Valley Council for Community Action, at Whitman College, Walla Walla, Washington, Sept. 21, 1968.

30. Estimate of David Laing, Granger, Washington.

31. 2 Consulting Services Corporation, *supra* note 2, at 27.

32. U.S. Department of Agriculture, Poverty in Rural Areas of the United States 3 (Agricultural Economic Report No. 63, 1964).

33. Senate Subcommittee on Migratory Labor, The Migratory Farm Labor Problem in the United States, 90th Cong., 1st Sess. 1,9 (1968).

34. 2 Consulting Services Corporation, *supra* note 2, at 21.

35. See Landis & Brooks, *supra* note 7, at 12, 62; 2 Consulting Services Corporation, *supra* note 2, at 1.

36. The Endless Cycle, *supra* at note 3, at 12.

37. 2 Consulting Services Corporation, *supra* note 2, at 29; 3 *Id*. at 58.

38. See President's National Advisory Committee on Rural Poverty, The People Left Behind 4, figure 1 (1967).

39. 3 Consulting Services Corporation, *supra* note 2, at 14.

40. 3 *Id*. at 15.

41. 2 *Id*. at 39.
41.1. 2 *Id*. at 37.
42. 2 *Id*. at 32, 37; 3 *Id*. at 59.

43. 3 Id. at 16.

44. See Glick,"The Right to Equal Opportunity," in La Raza: Forgotten Americans 95 *et seq*., especially 69-100 (Samora ed. 1966); Rowen, "A Minority Nobody Knows," The Atlantic Monthly, June, 1967, at 47 *et seq*., especially 51,52.

45. 33 S.W. 2d 790 (Tex. Civ. App. 1930).

46. 64 F. Supp. 544 (D.C.S.D. Cal. 1946), aff'd 161 F.2d 774 (9th Cir. 1947).

47. *Id*. at 549.

48. 96 F. Supp. 1004 (D.C.D. Ariz. 1951).

49. *Id*. at 1007.

50. See Sanchez, "History, Culture, and Education," in La Raza: Forgotten Americans 1-26 (Samora ed. 1966).

51. N.M. Const. Art. XXI S4.

52. Essays by Diana Mesa, Juanita Huerta, and Yolanda Guersa, 7th grade, Jeremiah Rhodes Jr. High School, San Antonio, Texas, Oct. 7,8, 1964.

53. Sanchez, *supra* note 50, at 12,13.

54. U.S. Bureau of the Census, U.S. Census of Population: 1960 at 19, table 3 (Supp. report series PC (S1)-55, 1968).

55. Statement of Dr. Joe Cardenas, Chairman, Education Department, St. Mary's University, San Antonio, Texas at hearings before the Special Subcommittee on Bilingual Education, Committee on Labor and Public Welfare, U.S. Senate, 90th Cong. 1st Sess., May, 1967, pt. 1, p. 330; C. McWilliams, North From Mexico 299 (1949).

56. Bilingual Education Act, 20 U.S.C.A. §§ 880 b to 880 b-6 (1969 supp.).

57. Wash. Rev. Code § 28.05.010 (1961).

58. See Meyer v. Nebraska, 262 U.S. 390 (1923).

59. Joint Committee on Education, Education in Washington 42 (5th biennial report, 1968).

60. The bill, Wash., H.B. 153, 41st Sess. (1969), was enacted and became Ch. 71 Wash. laws 1969. In partinent part (§§2,4) it provides: "That nothing in this section shall preclude the teaching of students in a language other than English when such instruction will aid the educational advancement of the student."

61. See Proceedings, National Conference on Educational Opportunities for Mexican-Americans, 63-67, Austin, Texas, Southwest Educational Development Laboratory (Apr. 25, 26, 1968).

62. 4 Consulting Services Corporation, supra note 2, at 12.

63. Wash. Rev. Code § 26.28.060 (1961).

64. Wash. Rev. Code § 28.27.150 (1961).

65. See National Conference on Labor Legislation, Report of the Committee on Migratory Labor, 1944 at 1 (mimeo 1944); President's Commission on Migratory Labor, Migratory Labor in American Agriculture 167-172 (1951); President's Commission on Migratory Labor, Report to the President on Demestic Migratory Labor 4 (1956); President's Commission on Migratory Labor, Report to the President on Domestic Migratory Farm Labor 16-19 (1960); President's National Advisory Commission on Rural Poverty, The People Left Behind 49, 50 (1967); President's National Advisory Commission on Rural Poverty, Rural Poverty in the United States 149-169 (1968); Testimony at the Cabinet Committee Hearings on Mexican-American Affairs, El Paso, Texas, The Mexican-American: A New Focus on Opportunity 97-120 (Oct. 26-28, 1967); 4 Consulting Services Corporation, supra note 2, at 9-13.

66. Letter to Senator Harrison Williams, Dec. 21, 1967 in hearings before the Subcommittee on Migratory Labor of

the Committee on Labor and Public Welfare, U.S. Senate, 90th Cong., 1st Sess., Dec., 1967 at 168-170.

67. See e.g., President's National Advisory Commission on Rural Poverty, The People Left Behind 61 (1967).

68. 2 Consulting Services Corporation, *supra* note 2, at 45,46.

69. Citizens' Board of Inquiry into Hunger and Malnutrition in the United States, Hunger, U.S.A. 16-38 (1968); "Hearings of the Subcommittee on Employment, Manpower, and Poverty of the Committee on Labor and Public Welfare," 90th Cong., 1st Sess. (Apr., 1967). See also Drew, "Going Hungry in America," The Atlantic Monthly, Dec., 1968, at 53-61 for a description of the refusal of Congress and the Department of Agriculture to respond to the problem of malnutrition in the United States. And see *Southern Christian Leadership Conference v. Freeman*, Civil No. 1584-68 (D.D.C., decided June 17, 1968) for an unsuccessful attempt to prevent approximately $229 million in unspent surplus commodity funds from being returned to the treasury at the end of fiscal 1968.

70. Subcommittee on Migratory Labor of the Committee on Labor and Public Welfare of the U.S. Senate, The Migratory Farm Labor Problem in the United States, S. Rep. No. 1006, 90th Cong., 1st Sess., 53 (1968).

71. See Prodipto & Fanning, Accidents to Farm People in Washington (1960); M. Hathaway, the Migratory Worker and Family Life 102 (1934); Hoffman & Seltzer, "Migrant Farm Labor in Upstate New York," 4 Colum. J. of L. & Soc. Probs. 2, 41 (1968).

72. Wash. Rev. Code § 51.12.010 (1961).

73. Wash. Rev. Code § 51.12.040 (1961).

74. W.A.C. 296-17-020, (Class 48-3) (effective April 1, 1969).

75. The bill, Wash. H.B. 860, 41st Sess. (1969), would repeal Wash. Rev. Code § 51.12.040 (1961) and thereby terminate the power the Director of the Department of Labor and Industries now has to define additional occupations as "extrahazardous." But see the following: (1) Wash. H.B. 398, 41st Sess. (1969), which would extend workmen's compensation coverage to include all agricultural work. (2) Wash. H.B. 551, 41st Sess. (1969), a complete revision of workmen's compensation law, which would extend coverage to agricultural employees. (3) Wash. H.B. 746, 41st Sess. (1969), which would add to the category of extrahazardous

employment "... agricultural pursuits involving the use of sharp hand tools, or working with or near power-driven equipment ..." As of Apr. 17, 1969, all bills mentioned in this footnote were under consideration by the Committee on Labor and Employment Security.

76. This is a recommendation consistently made by studies of migrant farm workers. See President's Commission on Migratory Labor, Migratory Labor in American Agriculture 159 (1951); President's Commission on Migratory Labor, Report to the President on Domestic Migratory Farm Labor 32 (1960); 4 Consulting Services Corporation, supra note 2, at 3 ("to all agricultural workers"); Hoffman & Seltzer, supra note 71, at 41; J. Chase, "The Migrant Farm Worker in Colorado --- the Life and the Law," 40 U. of Colo. L. Rev. 45, 77 (1967); Bivens, "Legal Disadvantages of Migratory Workers," 16 Labor L.J. 584, 593 (1965).

77. See complaint in Buttrey v. Housing Authority of Yakima County, supra note 23.

78. 3 Consulting Services Corporation, supra note 2, at 13; Sax & Hiestrand, "Slumlordism as a Tort," 65 Mich. L. Rev. 869 (1967); Shorr, Slums and Social Insecurity, H.E.W. Research Rep. No. 1, at 12, 13 (1966).

79. League of Women Voters of Yakima, supra note 6, at 4.

80. 2 Consulting Services Corporation, supra note 2, at 13.

81. Id.

82. Hoffman & Seltzer, supra note 71, at 47.

83. 3 Consulting Services Corporation, supra note 2, at 8.

84. 2 Id. at 16.

85. Id.

86. Id. at 25.

87. Id.

88. Id.

89. 3 Id. at 8, 9.

90. Interview with Bob Clarke, Washington State Employment Security Dept., Yakima, July 25, 1968.

91. See Hoffman & Seltzer, supra note 71, at 20.

92. Telephone conversation with Richard Jackman, Farm Placement Service, Washington State Employment Security Dept., Seattle, Mar. 5, 1969. The practice is an old one. See newspaper article, "Growers Decide on Picking Wage, Yakima Morning Herald , Aug. 27, 1933, at 2, Col. 1. See also M. Hathaway, The Migratory Worker and Family Life 74,75 (1934).

93. 15 U.S.C.A. §1 (1963); Wash. Rev. Code § 19.86.030 (1961); See Givens, supra note 76, at 591, 592.

94. Wash. Rev. Code § 49.48.060 (1961); Wash. Rev. Code § 49.52.050 (2) (1961).

95. 1967, 1968 Prosecuting Att'y for Yakima County Ann. Rep.

96. Wash. Rev. Code § 49.48.040 (1961).

97. Interview by Tom Chambers and Jim Marston with Harry Popp, Sr., District Manager, Washington State Dept. of Labor and Industries, Yakima, July, 1968.

98. Letter from Harold J. Petrie, Director, Washington State Dept. of Labor and Industries, dated January 7, 1969, to Charles E. Ehlert, on file with the records of the Yakima Valley Project.

99. Wash. Rev. Code § 49.52.070.

100. Sanchez v. Zuninga, Civil Action, Toppenish Justice Court, Raymond P. Ried, Justice of the Peace, Judgment entered September 25, 1968.

101. 29 U.S.C. § 213.

102. 80 Stat. 832, 29 U.S.C. § 206.

103. Wash. Rev. Code 49.46.020.

104. Wash. Rev. Code 49.46.010 (5)(a).

105. Wash. Rev. Code 50.04.150.

106. Wash. Rev. Code 51.12.010.

107. Consulting Services Corporation, Vol. II, 17.

108. U.S. Constitution, Amendment Thirteen; 18 U.S.C. § 1581.

109. Pierce v. United States, 146 F.2d 84 (5th Cir. 1944), cert. denied 324 U.S. 873 (1945), petition denied 157 F.2d

848 (5th Cir. 1946), cert. denied 329 U.S. 339 (1947).

110. Wash. Rev. Code Ch. 19.30; Pub. Law 88-582 (1964) 29 U.S.C. §§601-613.

111. 29 U.S.C. §601 (a).

112. 29. U.S.C. §607 (b).

113. 29. U.S.C. §613.

114. 29 C.F.R. Parts 40.41.

115. Wash. Rev. Code §19.20.130.

116. Letter from Harold J. Petrie, Director, Washington State Department of Labor and Industries, to William N. Matthias, dated July 24, 1968, on file with the records of the Yakima Valley Project.

117. Ibid.

118. 29 U.S.C. §49; Wash. Rev. Code §50.12.180.

119. Interview with Bob Clarke, Washington State Department of Employment Security, by Charles E. Ehlert, in Yakima, July 25, 1968.

120. Washington State Dept. of Employment Security, Annual Farm Labor Report 1 (1968).

121. Telephone conversation with Richard Jackman, Farm Placement Service, Washington State Dept. of Employment Security, by the writer, Seattle, March 5, 1969.

122. 20 C.F.R. §602.9(d) (1968).

123. Interview with Don Johnson, Washington State Dept. of Employment Security, by Prof. John Junker, in Toppenish, September 4, 1968.

124. 20 C.F.R. §602.9 (1968).

125. See e.g. Gomez v. Florida State Employment Service, No. 68-870-CIU-TC (D.C.S.D. Fla., filed April 4, 1968), 14 Welfare L. Bull. 17-18 (1968); and Ramirez v. Weinberger, No. 185906, Cal. Super. Ct., Sacramento Cty (filed July 31, 1968), 14 Welfare L. Bull. 18 (1968) (taxpayer suit to enjoin unlawful expenditure of state funds, because housing alleged to be inadequate under 20 C.F.R. §603.4, 604.1 and California State Department of Employment Security Manual).

126. 29. U.S.C. §152 (3) (1965).

127. 65 Wn.2d 827, 400 P.2d 72 (1965).

128. Peck, "Judicial Creativity and State Labor Law," 40 Wash. L. Rev. 743, 777 (1965).

129. Statement of Barbara Matsen, Yakima Farm Bureau, at Conference on "The Faces of Poverty in Eastern Washington," Whitman College, Walla Walla, September 21, 1968.

130. 65 Wn.2d at 834.

131. 3 Consulting Services Corporation, supra note 2, at 29.

132. Id. at 34.

133. Id. at 35-36.

134. Id. at 44-46.

135. See the Endless Cycle, supra note 3, at 64; and 2 Consulting Services Corporation, supra note 2, at 32.

136. E.g., Testimony of various grower representatives at Hearings before the Washington State Board of Health, on proposed new regulations for labor camps and field sanitation, Olympia, Washington, October 29, 1968; Statement of Mel Ammerman, State Farm Bureau President, November 19, 1968, reported in Seattle Times, November 20, 2968, 23.

137. Hoffman and Seltzer, op.cit. supra note 76, at 23; The People Left Behind, op.cit supra note 38, at 22.

138. Hoffman and Seltzer, op. cit. supra note 76, at 22-23.

139. E.g., Mittlebach and Short, "Rural Poverty in the West --- Status and Implications," 15 Kan.L.Rev. 453, 457-461 (1967).

140. See The People Left Behind, supra note 38, at 93 et.seq.; "Rural People in the American Economy," Agricultural Report No. 101, Economic Research Service, U.S. Dept. of Agriculture, Washington, D.C., October 1966, 30-33; "Poverty in Rural Areas of the United States," Agricultural Economic Report No. 63, Economic Research Service, U.S. Dept. of Agriculture, Washington, D.C., November, 1964, 26-28.

141. See The People Left Behind, supra note 38, at 98; "Rural People in the American Economy," supra note 140, at 31; Brann, Comment, "Housing of Migrant Agricultural Workers,"

46 Tex.L.Rev. 933 (1968); Moore, The Slaves We Rent, Random House, New York, (1965) 35-50.

142. See Prodipto, "Substandard Housing in Yakima," Washington State University, Pullman, 1961; Landis and Brooks, op.cit. supra, note 7, at 41.

143. W.A.C. 248.60.010, et seq.

144. 3 Consulting Services Corporation, supra note 2, at 18.

145. 29 U.S.C. §49, et seq.

146. 20 C.F.R. §602.9 (d)(4)(i)(1968).

147. See note 122, supra.

148. Memorandum, Yakima County District Health Board, "1966 Yakima County Labor Camps."

149. The Endless Cycle, supra note 3, at 109-111.

150. Complaint in Buttrey v. Housing Authority of Yakima County, supra note 23.

151. Quit claim Deed from United States of America to Housing Authority of Yakima County, dated December 20, 1949, recorded in Vol. 479 of Deeds, 528, under filing No. 1286116, records of the Auditor of Yakima County, 4-5.

152. See infra n. 151 et seq.; The Endless Cycle, supra note 3, at 95-96; Thorp v. City of Durham Housing Authority, 37 U.S.L.W. 4068 (1969); Note, "Public Landlords and Private Tenants: The Eviction of 'Undesirables' from Public Housing Projects," 77 Yale L.F. 988 (1968); Rosen, "Tenants Rights in Public Housing," Center on Social Welfare Policy and Law, Columbia University, (1967) (Mimeo.)

153. The Endless Cycle, supra note 3, at 95.

154. State of Washington v. Charles Wolfe, Criminal Complaint No. 164-C, Union Gap Justice Court, Yakima County, Washington, 1967.

155. State of Washington v. Wayne Wolfe, Criminal Complaint No. 165-C, Union Gap Justice Court, Yakima County, Washington, 1967.

156. State of Washington v. Lynn Wolfe, Criminal Complaint No. 166-C, Union Gap Justice Court, Yakima County, Washington, 1967.

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157. Interview with Leslie E. Vannice, Justice of the Peace, Union Gap, Washington, by the writer, in Union Gap Justice Court, September 26, 1968.

158. Wash. Rev. Code 70.46.050.

159. Wash. Rev. Code 70.46.060 (1961).

160. Wash. Rev. Code 74.08.030 (old age assistance: five of past nine years); Wash. Rev. Code 74.10.020 (disability assistance: one year); Wash. Rev. Code 74.12.030 (aid to families with dependent children: one year); 1967 Session Laws, Pamph. Ed., Ch. 13, Ex. Sess., Vol. "M", 2931 (general assistance: three of past four years).

161. *Martinez v. Smith*, Civil Action No. 7455, U.S. District Court, Western District of Washington, Northern Division, filed November, 1967; see also *Thompson v. Shapiro*, 270 F. Supp. 331 (three-judge court) (D.C.Conn. 1967) (held, one year residence requirement for aid to families with dependent children violates Privileges and Immunities Clause and Equal Protection Clause of Fourteenth Amendment.)

162. Wash. Rev. Code 74.12.280 (1961); W.A.C. 388-33-030.

163. *Lindsey v. Smith*, Civil Action No.7636, U.S.District Court, Western District of Washington, Northern Division, filed 1968. See *Collins v. State Board of Social Welfare*, 248 Iowa 369, 81 N.W. 2d 4 (1957).

164. W.A.C. 388-08-010.

165. *King v. Smith*, __ U.S. ___, 20 L.ed. 2d 1118, 88 S. Ct. ___(1968).

166. Statement of Paul Boudin, Yakima County Administrator, Washington State Department of Public Assistance at a meeting at the Migrant Service Center trailer, Toppenish, August 26, 1968.

167. M. Hathaway, *op. cit. supra* note 8, at 211-212.

168. See 3 Consulting Services Corporation, *supra* note 2, at 56.

169. See *Edwards v. California*, 314 U.S. 160 (1941) (holding unconstitutional California statute making it a crime to import a pauper into the state). But see Wash. Rev. Code 9.91.040 ("Importing Pauper").

170. 1 U.S. Bureau of the Census, Census of Agriculture 1964, Part 46, at 13, 14 (1967).

171. Migratory Labor in American Agriculture, supra note 65, at 159; "Report to the President on Domestic Migratory Labor," supra note 65, at 2; "Report to the President on Domestic Migratory Farm Labor," supra note 65, at 22; The People Left Behind, supra note 38, at 89; The Migratory Farm Labor Problem in the United States," 1968 Report of the Subcommittee on Migratory Labor, supra note 33, at 56-61; M. Hathaway, supra note 8, at 213-216; Consulting Services Corporation, supra note 2, at 8; J. Chase, supra note 76, at 77; Scholes, "The Migrant Worker," in La Raza: Forgotten Americans, (J. Samora ed.) 80-81; C. McWilliams, Ill Fares the Land, supra note 9, at 341-345("In the files of the Tolan Transcript, for example, will be found the records of a case in which an American farm family was shipped back and forth from South Dakota to North Dakota, with each state denying responsibility for their welfare, four times in slightly less than a month. The family was finally stranded on a railroad track which constituted the border between the two states.") Thomas Paine described the "settlement laws" as "instruments of civic torture" - "by which the poor, instead of being relieved, are tormented." Paine, The Rights of Man.

172. Annual Report of the Prosecuting Attorney of Yakima County, Washington, for the year ending December 31, 1968, 8.

173. No. 38357, Supreme Court of Washington.

174. See Wash. Rev. Code 9.52.010 (Kidnapping); Wash. Rev. Code 9.52.020 (Conspiracy to Kidnap); Wash. Rev. Code 9.11.020 (Second Degree Assault); Wash. Rev. Code 9.11.030 (Third Degree Assault); Wash. Rev. Code 9.27.060 (1) (Unlawful Assembly); Wash. Rev. Code 9.33.060 (1) (Coersion); Wash. Rev. Code 9.33.020 (1), (5) (Oppression Under Color of Office); Wash. Rev. Code, 9.34.020 (Personating an Officer); Wash. Rev. Code 9.37.030 (Acting Without Lawful Authority); 18 U.S.C. §1201 (Kidnapping); 18 U.S.C. §241 (Conspiracy against Right of Citizens); and 18 U.S.C. § 242 (Deprivation of Rights Under Color of Law).

175. Constitution of the State of Washington, Amendment 5.

176. Wash. Rev. Code 29.07.070 (13).

177. 42 U.S.C. §1971 (a)(2)(C).

178. Wash. Attorney General's Opinions, 1967, No. 21.

179. Mexican-American Federation-Washington State, et al. v. Naff, et al., Civil Action No. 2457, U.S. District Court, Eastern District of Washington, Southern Division.

180. 2Consulting Services Corporation, supra note 2, at 29.

181. Ibid. at 30-31.

182. Ibid. at 11.

183. Ibid. at 2.

184. Constitution of the State of Washington, Amendment 5.

185. See p. 5, supra.

186. Permanent Registration Form, 1-1948, Adopted by Division of Municipal Corporations.

187. Hill v. Howell, 70 Wash. 603, 127 Pac. 211 (1912).

188. Wash. Rev. Code 29.07.010.

189. Article entitled "Mexican-Americans seek Spanish-speaking registrars," and editorial entitled "Brooklynese, too, Sam?" Yakima Herald Republic, March 8, 1968; Article entitled "Spanish-speaking election registrars? No, says Naff," Yakima Herald Republic, March 16, 1968.

190. Wash. Rev. Code §29.07.010 (1961).

191. See C. McWilliams, Ill Fares the Land, supra note 9, at 64-66; Yakima Morning Herald, August 17, 25,26,27,29, and 31, September 2 and 3, 1933.

192. The Poverty Warrior, Yakima Valley Council for Community Action, Vol. 1, No. 1, June 1, 1968, 1. Asked by the Yakima County Prosecuting Attorney, the Washington State Attorney General gave an informal opinion that the County Commissioners lacked the legal power to operate a community action program, and would have to wait for legislative amendments by the 1969 session of the Legislature. Letter from John J. O'Connell, Attorney General, to Lincoln E. Shropshire, Prosecuting Attorney, May 1, 1968. Legislation has been introduced to accomplish this. H.B. 478, 41st Sess. (1969). As of Apr. 17, 1969, this bill was under consideration by the Senate Rules Committee.

193. Mexican-American Federation-Washington State, et al. v. Naff, et al., supra note 179.

194. See editorial entitled "'Wolf' call monotonous," Yakima Herald Republic, July 20, 1968.

[From the Congressional Record, Nov. 4, 1969]

MIGRATION TO MISERY

Mr. MONDALE. Mr. President, the Palm Beach, Fla., Post-Times has recently completed an eight-part series entitled "Migration to Misery." The author of the series, Kent Pollock, has written what I consider to be one of the most vivid descriptions of the realities of the migrant and seasonal farmworker problem that I have read.

In the first of the series, Pollock discusses the people that he met in his field investigations, and describes the self-perpetuating cycle of migrancy in which they are caught.

Migrant farmworker, whose strong backs, calloused hands, and seasoned muscles are their livelihood, live in an American atrocity in terms of their housing, food, and the entire atmosphere in which they exist. Pollock finds that "migrants are the unwanted people, except at harvest time. Even then they are not accepted as members of communities."

Pollock notes that migrants have few friends and many enemies, and that they are often exploited by many, including their own people. He gives an example of a man that sold migrants life insurance on a weekly basis, and when the migrant died and his family sought relief, they found the insurance was for an automobile. The man did not own an automobile.

Pollock notes that—

"Some farmers have automatic systems to water their beans, but their workers live in housing without showers and inside toilet facilities. Some have insulated cow barns while their workers must live in the tin shacks and cram old newspapers into cracks to keep the wind out."

The second of the series of articles discusses in greater detail the perpetual cycle that traps the migrant and concludes:

"Sickness, disability, bad fortune—tragedy sometimes provide the only exit from the migrant stream."

Pollock attempts to understand what makes a migrant continue to travel from State to State in search of back-breaking work by analyzing his educational background. Migrant children at an early age work alongside their parents, and are rarely spared from working in the fields long enough for school attendance. Child labor laws are not enforced, and few compulsory attendance laws are applied to migrant children. It is not unusual that we find that the average migrant and his family had attained an education equivalent of only 8.6 years, and that over 17 percent of all migrants are functionally illiterate. This perilously low level of education perpetuates an inability to perform other than unskilled tasks. More importantly, it perpetuates a lock of confidence to try other work, and locks the migrant into the cycle of poverty.

In the third of the series of articles, entitled "Squeezing Out a Living," the author discusses the pay that migrants receive, the extent to which laws such as the Crew Leader Registration Act are not enforced, and in describing the nature of the work, notes:

"The migrant might work like a machine and live like an animal, but he is a human being."

In the fourth and fifth columns, the housing situation is discussed:

"Everyone in a position to better migrant housing is aware of the problem. But some simply won't publicly admit that there is a housing shortage. There is no quick solution. Meanwhile, the migrants suffer. They are serving life sentences in the prison of their environment."

The plight of the elderly migrant is discussed in the sixth article.

In the seventh of the series of articles, the author discusses an extensive interview that he had with Elijah "Bubba" Boone, who at one time was a migrant, but because of education and drive has been able to settle out of the stream. In this interview—much as he did when he testified before the Subcommittee on Migratory Labor, Boone discusses the reasons that migrants are unable to leave the stream and the need for change which he feels can be accomplished only through power:

"Money makes power, education makes power, legislation makes power—we have none of these. All you can do is hope for change and this I do every day."

In the final article, Kent Pollock talks about efforts to improve migrant conditions in Palm Beach County, Fla. He notes that although that effort has been expansive, it has not been enough.

Mr. President, as Chairman of the Subcommittee on Migratory Labor, I have become personally aware of the facts and realities covered in these articles. I regret that I have to report to the Senate that too much of this discussion and these conclusions are all too true.

Because of their significance, I ask unamimous consent that the series of eight articles be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

"[From the Palm Beach (Fla.) Post-Times, Oct. 5, 1969]

"THEY LIVE UNWANTED, IN THE SHADOWS OF SOCIETY

"(By Kent Pollock)

"Georgia Johnson stooped down, ran his fingers through a plant and came up with 14 string beans. His 70-year-old-body ached, but he continued to work.

"Caught in a self-perpetuating cycle, Georgia has to work. He is a migrant.

"Lillie Mae Brown, 61, leaned back on her rusty bed and cried. A plaque inscribed with the Lord's prayer hung over her head.

"Lillie Mae was a migrant all her life until her body gave out. Now she sits alone in her one-room shack, praying, waiting to die.

"Harvey Woodard sat atop an unmounted, muddy tire. A broken man, he was drunk in the middle of the day. The smell of cheap wine surrounded him.

"Harvey turned to wine years ago when he began migrating—nothing else reduced his misery. In the past two months, Harvey has made about $100.

"The plight of the migrant is full of untold stories, stories very much like that of Georgia's and Lillie's and Harvey's.

"They travel from state to state straining to harvest an affluent nation's food.

"They snap beans, pick squash, pull tobacco or corn—stoop labor mostly.

"Their strong backs, calloused hands and seasoned muscles are their livelihood.

"A migrant's work, his housing, his food—the very atmosphere in which he exists—is an American atrocity.

"Nobody really knows how many migrants there are, but most estimates fall around 276,000. An educated guess would put Palm Beach County's migrant population at 38,000.

"Migratory workers performed more than nine per cent of the nation's seasonal farmwork in 1968, working in 900 counties of 46 states.

"The migrants go where there is work. They travel either in old buses or old cars, up and down the migrant stream from New York to Florida and points west.

"Migrants are the unwanted people except at harvest time. Even then they are not accepted as members of communities.

"They live in the shadow of society. The only road left open to a migrant in most cases is the road to the next farm.

"Mrs. John B. Herbert and her husband left the migrant stream three years ago. Now they live in a tin shack with no toilet facilities in Belle Glade.

" 'I have nothing to do but sit here and wait on the $78 they gave us per month and the season,' Mrs. Herbert said. Her husband, suffering from a heart condition, leaned on a rickety chair nearby.

"Unlike the Herberts, some migrants get away from farm labor entirely, but they are a minority.

"Since 1949, the migratory work force has decreased from 422,000 to 276,000. Available statistics show a peak period of migrant employment in 1965 of 466,000.

"Migrants work in incredibly abominable conditions for incredibly low wages.

"The migrant in 1967 worked an average of only 85 days for an average annual income of $922.

"Yet there is a feeling of pride in their work. They are fighting a losing battle against elaborate mechanization.

"But there is hope—a sort of unexplainable dream that tomorrow might hold an answer.

"But it won't.

"A migrant has few friends and many enemies. He is exploited by many—even by his own people.

"In Belle Glade last year a man sold migrants life insurance on a weekly basis. When a migrant died and his relatives sought relief they found the insurance was for an automobile.

"The family did not own a car.

"Many of the farmers who need migrant services show their gratitude by providing blighted housing. Other farmers try to better migrant conditions.

"But their efforts have not and apparently will not be sufficient to effectuate major changes.

"The primary problem with migrants is the very nature of their work—it's seasonal. They must move to keep up with the crop.

"And before conditions can be bettered, many feel, migration must be stopped and migrants must settle into communities.

"They are never in one place long enough to reap the few benefits available to them.

"Despite several health projects aimed directly at migrants, the average per capita health care expenditure in 1967 was $12, in contrast to an average of more than $200 for the total population.

"Levels of education are perilously low. So low, in fact, that Palm Beach County schools have begun a special prgram aimed solely at exposing migrant children to modern society.

"Although funds for improving primary and secondary schools across the nation have soared to new heights, the migrants in 1967 had attained an average grade level of only 8.6.

"Over 17 per cent of all migrants were functionally illiterate in 1967.

"U.S. Senate subcommittee reported, "Children of migratory farm workers have fewer educational opportunities and a lower educational attainment than any other group of American children.'

"Florida's problem is particularly pressing because many experts predict that when the migrants stop migrating they will settle in the state.

"Florida needs the farm workers on a seasonal basis, but the state does not have adequate provisions to accommodate them year around.

"According to statistics compiled by the U.S. Department of Agriculture, some 290,000 acres of vegetables are harvested yearly in Florida with a yield of almost two million tons.

"Although mechanical harvesting becomes more prevalent yearly, many crops must still be picked manually because they don't lend themselves to economical mechanization.

"These are the crops left for the hard-working, abused migrant.

"The harvest season in South Florida extends from late October to the end of May. During that time migrants from all over the United States are employed here.

"There are roughly nine groups of people within the migrant population, breaking them down by race, language and origin.

"These groups of traditionally oppressed people find themselves the target of a special discrimination when they enter the migrant stream.

"Some farmers have automatic systems to water their beans, but their workers live in housing without showers or inside toilet facilities.

"Some have insulated cow barns while their workers must live in tin shacks and cram old newspapers into cracks to keep the wind out.

"Federal and state legislation which covers migratory laborers is often conflicting, confusing and unenforced. There are strict housing codes available, but many migrants still live in filthy, decaying huts.

"Farmers say they are doing all they can to better the situation. If we tear down the rotting housing, they ask, where will we put the people?

"Floyd Ericson, president of the Everglades Farm Bureau, says the small farmer is caught in an economic squeeze and cannot afford to provide better housing.

"He says farmers who try to better their migrant housing lose money through vandalism and improper care of facilities.

" 'No matter what kind of housing you have for your help the laborers won't take care of it. They'll break your commodes and you're always sending a plumber down . . . no matter what you do they just don't take care of it, they just won't,' Ericson said.

But those who fight for betterment of migratory conditions question whose responsibility it is to take care of housing.

"If I rent an apartment and it needs painting or fixing, the landlord is responsible for fixing it or painting it,' Alan Kuker of South Florida Migrant Legal Services said.

"He feels the best solution to housing problems is wholesale destruction of substandard dwellings.

" 'If there's no place for the migrant he won't come here and the crops won't get picked in which case this whole area won't have an economy. So you can bet your life there'll be measures to put up decent housing so the crops can get picked.'

"The migrants continue to work and travel and sweat while others talk about the controversy. Some drop out of the stream, others die.

"When they arrive in Palm Beach County next month there will be no substantial changes from years past.

"Many will live in housing they have paid for throughout the year as insurance against having to move to either the Belle Glade or Pahokee Housing Authority labor camps.

"Both authorities have housing projects in progress to provide more housing, but neither will be completed in time for this year's influx of workers.

"And by next year, the new housing is likely to be filled by permanent residents and the migrants again will be left out.

"Pahokee's Housing Authority has three farm labor camps which have been condemned since 1962. It is in these camps that migrants without reserved housing will likely reside.

"Then every morning they will go to the loading ramp near downtown Belle Glade where their labor will be contracted on a daily basis.

"Farm representatives and crew leaders will drive up in aged buses and pickup trucks with wooden sides to choose their workers.

"Somehow it carries the atmosphere of a human auction.

"Ten to 12 hours later the migrants will be returned to the loading ramp and paid. Some will have made less than $10 for their lengthy day's work, a few will have made as much as $50.

"At night the migrant might get drunk and get in a fight. He might go home and sleep away the thoughts of his painful life.

"If he wants to bathe away the dust and sweat accumulated in the field he must sometimes walk 100 yards or more to the nearest water. If he wants hot water, he must heat it on a stove.

"He and his wife will sleep in a room separated from their children only by an old sheet or blanket hung from the ceiling. Sometimes there is no separation at all.

"In the morning he starts over again.

"This is the life of a migrant. He is not a migrant by choice but by necessity—it is the only life he knows."

"ONE PROPOSED SOLUTION: INSURE THEIR RIGHT TO VOTE

"Among a lengthy list of proposals for programs to alleviate the plight of the migrant is a suggestion that federal legislation be passed to insure migrants the right to vote.

"Such legislation would give the migrant a voice in his government now lacking because of stringent residency requirements.

"The Senate Subcommittee on Migratory Labor proposed amendments to national voting rights legislation to forbid states from denying citizens the right to vote on account of residency requirements.

"Because of a migrant's high degree of mobility he cannot often qualify to vote, adding to his powerless state.

"The subcommittee also recommended immediate extension of the five-year Migrant Health Program which terminates in 1970 to insure continuation and possible extension of health services to the migrants.

"The subcommittee called for appropriations 'more commensurate with the problem' to expand present health services and increase the number of health projects in areas of large migrant population.

"Some $15 million has been authorized to fund programs under the Migrant Health Act in 1970.

"A study to determine how effective OEO programs are in lifting migrants out of poverty was proposed. OEO has been appropriated a budget of $27.3 million for the fiscal year 1969 to assist impoverished migrants and seasonal workers.

"Sources in Washington indicate that the Migrant Health Act will likely be extended an additional five years soon. The fate of the other proposals looks much gloomier, they report.

"A third recommendation of the subcommittee was to review all Office of Economic Opportunity programs aimed at migrants to evaluate their effectiveness."

“[From the Palm Beach (Fla.) Post-Times, Oct. 6, 1969]

“A Perpetual Cycle Traps the Migrant

“(By Kent Pollock)

“Hendersonville, N.C.—Mary Longs doesn’t really want to migrate and pick beans the rest of her life, but she probably will.

“She is trapped in the migrant cycle and doesn’t know why.

“Mary sat between two rows of bright green crawl beans, a bushel basket nearby, and talked in a sleepy voice.

“ ‘It’s pretty hard to find a job with the kind of work you can do. . . . I don’t have no ambition for this work. It gets worse and worse.’

“She was wearing blue jeans and a man’s shirt. A small cap covered her hair and a soiled sweat band hung down the back of her neck.

“ ‘My husband is dead. I have nine children but not with me. I ain’t going to go too many more years.’

“Mary is 43 years old. She says the reason she ‘ain’t going to go too many more years’ is because she is ‘sort of on the sick list.’

“If she gets sick enough, she will stop migrating and go on welfare. If not, her miserable migration will continue.

“Sickness, disability, bad fortune—tragedy sometimes provides the only exit from the migrant stream.

“Lillie Mae West has been migrating since 1951. She wears a straw hat with a little feather in the side. Her bright yellow dress, imitation pearl earrings and blue blouse separate her from others in the field.

“But her story is essentially the same.

“ ‘I’ll work until I get disabled and sick, I guess,’ she said in a crackly voice.

“Lillie Mae and Mary are members of a migrant crew from Belle Glade. They came here in early July and will soon return to Florida.

“Ella Grant, another Belle Glade resident, takes a realistic view of her continuing plight. Ella is 59 and a migrant by birth.

“ ‘It’s been pretty good until this year. This year it’s been bad. It’s the rains. I reckon it’s account of the rain. The beans just ain’t here.’

“Does this mean Ella is ready to stop migrating and settle into a community?

“ ‘Nah, it looks like I’m going to be picking all my life. . . . I can’t crawl, though, I never could. I sure is getting tired of them beans.’

“Did Ella ever consider other work?

“‘I reckon I never though about that, no, sir, I don’t know much else.’

“George Johnson is looking forward to returning to Florida this year. He has been traveling between Belle Glade and North Carolina since 1956.

“ ‘I like it better in Belle Glade in a way, that’s right. I got to go back this year, I’m going to get my teeth.’

“Last year Georgia had his teeth pulled for $37. He didn’t have enough money to buy a plate. He plans to make the purchase at the end of the Belle Glade bean season this year.

“At 70, Georgia looks healthy and strong. He’s proud of his youthful appearance.

“ ‘I’m strong all right. I take care of myself. This work will keep you in shape, but if the other fields keep being like this here one I’ll be in bad shape!’

“The field he is working is being picked for the second time. Georgia will only pick seven bushels in 10 hours for $1 per bushel.

“He’s wearing a blue service station shirt inscribed with the name Malcom.

“ ‘When I go to the store I pick up anything. I don’t take me long, that’s right. I just slip it right on.’

“Georgia, too, say he will not quit soon.

“ ‘I guess I should stop right now. It’s not worth it, you can’t make any money. When I get sick I’ll quit. And I’ll tell you what I’m going to do. I’m going to draw them checks.’

“A fellow worker nearby says Georgia has been saying he’ll quit as long as he can remember.

“Migrant after migrant tells you he will quit soon. They don’t know what makes them continue, but when the crop is picked they traditionally head for the next farm.

“ ‘I’m not going to pick no longer than I can help. I’ll quit when I’m old enough to get my pension,’ says James Reed.

“Reed is 63. He wears a straw hat and a burlap sack tied to his waist. Gray suspenders hold up his faded blue jeans.

" 'I'm a little too old for construction right now. It used to be good to me, but I'm too old right now. I do pretty well at this sometimes.'

"Reed leans over and grabs another handful of beans. He tosses them into a half-filled bushel basket then picks some more.

"Like his life of migration, bean picking has become automatic to the old man.

"To understand what makes a migrant continue to travel from state to state in search for backbreaking work one must study his sociological background.

"Migrant children become adults at an early age. They work in the fields alongside their parents as soon as they can walk.

"Many times children cannot be spared from working in the field long enough for school attendance. Laws forbidding farmers from hiring children during school hours are not strictly enforced.

"The net result is a perpetual continuation of illiteracy among migrants.

"In 1967 the average migrant and his family had attained an education equivalent of only 8.6 years. Over 17 per cent of all migrants were functionally illiterate.

" 'Children of migratory farm workers have fewer educational opportunities and a lower educational attainment than any other group of American children,' Sen. Harrison Williams of New Jersey, chairman of a Senate Subcommittee on Migratory Labor, wrote in this year's annual report.

"This perilously low level of education perpetuates an inability to perform other than unskilled tasks. More importantly, it perpetuates a lack of confidence to try other work. By the time a migrant is 15 he is often married. Pregnant child brides are not uncommon.

"When the youthful couples have children they are forced into the mainstream of migrancy. They must continue traveling to the next farm to exist.

"It is not long before they are trapped.

"Dr. Robert Coles, a Harvard University psychiatrist engaged in a study of 'the migrant subculture,' discusses his observations of young adult migrants becoming trapped in the stream.

" 'At 20, at 22, they are full-fledged adults ; we would call them 'older' migrants. They have lost much of their interest in the possibilities of another kind of life ; they often move about by themselves, no longer attached to their families . . . they are caring for their own children.

" 'They have settled into the curious combination of industry and initiative (needed to keep moving over such distances, to keep working at such backbreaking work) and lethargy and despair (reflected in their faces, their way of slow movement, flattened speech, infrequent merrymaking).'

"Dr. Coles said migrants develop 'symptoms' which result from their 'cumulative stresses of their kind of existence.'

" 'They may drink heavily before or after work, using the cheap wine and beer they can afford to dull their senses in the face of, or in the wake of, their long hours of harvesting.

" 'They often become careless and hurtful towards the homes furnished them by farmers, destroying screen doors, stopping up central plumbing facilities of a camp. Some may call such behaviour accidental, but many farmers are correct in sensing the barely submerged hostility and resentment at work in these people.

" 'The migrants don't specifically intend to damage property, but are aware of feeling overworked and underpaid, and carry those feelings around with them fairly constantly.'

"The rest of the migrant story is always the same. Once in the stream, he will suffer the hardships of poor housing, poor working, poor eating.

"He will know a special form of discrimination which keeps him in different social circles than other impoverished Americans.

"The migrant is the poorest of all poor Americans.

"He tries to work for a living while others head for the city to go on relief.

"Dr. Coles says what keeps the migrant from the temptation of city life and welfare cannot be explained by any one generalization.

" 'The explanation rests in a combination of such factors as fear of the city, a genuine attachment to the land, a sometime enjoyment of movement, a depression that sets in for many of them when they do stop traveling and working, and a fear of that depression.'

"So they continue and don't really know why.

"ANOTHER SOLUTION: A NATIONAL ADVISORY COUNCIL

"The U.S. Senate Subcommittee on migratory labor suggested last year that a national advisory committee on migratory labor be founded to better plot the future of the migrant.

"Duties of the national council would be to advise the President and Congress on effectiveness of federal programs aimed at betterment of migrant conditions.

"Another important duty of the council would be to advise the government on legislation to assist the migrants.

The council would perform a 'valuable watchdog' role for federal programs aimed at migratory labor.

"The subcommittee said a comprehensive evalution of the causes and possible remedies of unemployment and underemployment of agricultural workers needed to be made.

"The evaluation should be made 'with a view toward ending the migratory way of life,' the subcommittee's report said.

" 'Migratory farmworkers constitute one of our nation's great manpower problems, for as a group they are underemployed and underutilized. Underemployment and poverty are more widespread and no less severe in rural areas than in urban areas,' the report said.

"The subcommittee's overall proposal to solve the many migrant problems is to increase industry in rural areas and dry up the migrant stream.

"The increased industrial activity would provide jobs for migrants during off-season periods, but would not necessarily rob farmers of needed help at harvest time.

"The subcommittee proposed federal wage subsidy for migrants who discontinue their migration and are caught between periods of harvest and the establishment of nonfarm industrial jobs.

"Washington sources say passage of these proposals is doubtful in the near future."

"[From the Palm Beach (Fla.) Post-Times, Oct. 7, 1967]

"SQUEEZING OUT A LIVING

"(By Kent Pollock)

"HENDERSONVILLE, N.C.—There are rows and rows of bright green snap beans. Between the rows dark spots move slowly in misery.

"Those spots in the distance are migrants trying to squeeze a meager living from a second-crop bean field.

"This is a bad bean field. Each plant has only six or seven beans hidden under its soft green leaves.

"There are lots of bad fields in North Carolina this year. Hot sun and heavy rains plagued the farmers, ruining many first crops.

"This bean field is immense. The unending pattern or rows blends into a green mush on the horizon.

"A migrant's life is centered around his difficult work. When conditions are right he can make a poverty-level income.

"When crops are bad, the migrant suffers. It's not a new story.

"These crops are bad. These migrants have suffered. They came here from Palm Beach County.

"James Reed of Belle Glade is on his knees between two rows of beans. He wears a straw hat with a yellow band around its center. Gray suspenders hold his faded blue jeans up as he treks his way up the row.

" 'I just lean over like this and push the leaves aside, see, and grab them beans' Reed explains as he strips another plant.

"He tosses the few beans into a half-filled wooden bushel with his left hand as his right hand reaches for another plant.

"He works without thinking. As he talks his muscles automatically continue moving.

"When the bushel is full Reed's crew leader will give him a small yellow ticket—not much to show for more than an hour's work.

"At the end of the day, the tickets can be cashed in for $1 each. Snap beans also are called crawl beans because of the backbreaking chore they present at harvest time.

"Like machines, the migrant's fingers sift through a bean plant and strip its sweet product. The experienced migrant can snap every bean from a tangled plant in seconds.

"They either crawl or stoop or bend over nearly double to harvest the ground-hugging crop. Some work all three ways, budgeting their aches to different parts of their abused bodies.

"For this they receive $1 per bushel. A bad field yields only about six bushels per 10-hour day.

"At a good field, the migrants say they can pick 20 bushels in 10 hours—but this requires plenty of skill. And abundant fields are rare.

"Migrant workers across the nation averaged $1.33 per hour earnings in 1967, according to a Senate subcommittee on migratory labor.

"In Florida, the average was $1.12.

"But these statistics only cover the hours worked. There are many days when the migrant sits at the loading ramp waiting for a job.

"Along with their other problems, migrants sometimes have to compete with foreign labor for jobs.

"While some 15,000 foreign workers entered the United States last year thousands of migrants suffered from a lack of continuing employment.

"Most foreign workers were from the British West Indies and Canada, admitted to this country to harvest sugarcane in Florida and apples in the North.

"Cane growers are allowed to import laborers because they say they cannot find domestic labor to cut cane.

" 'The American citizen continues to avoid acceptance of employment in the cane-cutting operations even though the basic wage has been substantially increased' U.S. Sugar Corporation's Fred Sykes told an agricultural stabilization committee in July.

"Before growers in this country can hire foreign laborers they must pass stringent housing inspections and agree to meet high standards of wages, food and transportation.

"Ironically, standards for hiring migrants across state lines are much lower and are not as strictly enforced as offshore labor hiring standards.

"The average migrant farm worker was employed only 82 days during the year in 1965, according to the latest statistics available.

"And much of the labor is conducted by children under the age of 16, leaving the older, less productive members of migrant society without work.

"According to the Senate subcommittee, there are some 800,000 paid farmworkers under 16, about one-fourth of the entire work force.

"Statistics show there were 2,700 fatal accidents in agriculture in 1967—the highest of all industries. There were also 230,000 additional disabling injuries.

"Most of the fatal farm accidents came from dangerously operated machinery and poisoning from improper care when spraying chemicals on crops.

"It has been alleged that higher farm labor wages would raise consumer costs. However, the Senate subcommittee, reported, a twenty-one cent head of lettuce represents only a field labor cost of 1.3 cents.

"A pound of celery retailing at 15.5 cents represents a field labor cost of .3 to .5 cents. Lemons retailing at 24 cents per pound cost the farmer less than one cent for field labor.

" 'It is therefore clear from these statistics that wage increases for farmworkers would have little, if any, impact on the consumer in terms of the price . . . in the local supermarket,' the subcommittee reported.

"But statistics mean nothing to the migrant working and living under abominable conditions.

"All he knows is that when the season ends there is rarely enough money to move. Often he works for a crew leader who provides transportation.

"But those who work for crew leaders risk the possibility that their boss might be dishonest.

"Legislation requiring crew leaders to register if they intend to cross state lines has quashed much exploitation, but some still exist.

"Many crew leaders skirt registration laws by traveling in caravans with each vehicle carrying less than 10 migrants. Crew leaders with 10 or more workers must register.

"There are crew leaders who 'take the pennies,' a term for collecting money for social security payments, and never report the deductions to the federal government.

"There are crew leaders who charge their workers for transportation, meals and even water—deducting the charges from workers' pay without any records.

"All crew leaders aren't bad, though, Erskine McCullough Jr. of Pahokee is one of the good ones.

"Even though McCullough openly admits working around crew-leader registration laws his people will tell you he treats them fairly.

"McCullough sat atop his tractor in a Hendersonville apple orchard and told of his plight. He has been migrating most of his life and can't get out of the cycle.

" 'You're always behind the eight ball, see. You're always living from day to day 'cause you never make enough money to pay your bills or anything else. I don't see how I can stop.'

"McCullough runs Streamline Taxi company in Pahokee during the season. It has been a losing venture, he says 'The credit bureau people are probably looking for me right now.'

"Apple picking, too, is backbreaking work. The workers climb up and down ladders with half-bushel containers strapped to their shoulders.

"Up and down; up and down; carry the ladder to the other side of the tree: back up, down—as in bean picking the work seems endless.

"Water for the hard-working, sweaty migrants is available at the end of the bean row, several hundred yards from where they are picking.

"Leaving for a drink of water means wasted time. Wasted time means wasted money—and to a migrant wasted money can mean the difference between an eveinng meal and hunger.

"But migrants don't complain about their work conditions. They are accustomed to misery and despair.

"When the day ends they leave the field in the same aging bus they arrived in, to be deposited, like used bottles, back at the loading ramp near downtown Hendersonville.

"Migrants gather at the loading ramp every morning to contract their labor in auction-like fashion.

"If it rains, there will be no work.

"But the migrants wait patiently for the sky to clear.

"Migrants are used to waiting—their entire life has been controlled by others.

"When someone says work, they work until someone says quit. There is no coffee break in a bean field or apple orchard.

"The buses used to transport migrants to and from the fields are old and sometimes dangerously in need of repair.

"One bus sits empty at the loading ramp. Inside there is dirt and garbage on the floor. The seats are relatively clean.

"A swarn of flies gathers on a half a loaf of bread left on one seat. A blue sweater and a burlap sack tied in a ball sit on a seat across the aisle.

"The interior smells the stale odor of hard work and poverty.

"The migrant is immuned to the smell; it surrounds him constantly.

"His impoverished family is caught in a treacherous cycle of mental and physical anguish.

"He might work like a machine and live like an animal, but he is a human being.

"These migrants are looking forward to returning to Florida. They talk about plentiful bean fields and better work conditions.

"But they aren't fooling themselves. In six months they will look forward to North Carolina and talk of plentiful bean fields and better work conditions.

"Theirs is a story of migration to misery.

"PROPOSAL: EXTEND LABOR RELATIONS ACT

"A major proposal of last year's U.S. Senate subcommittee on migratory labor dealt with extending the National Labor Relations Act to cover all agricultural workers.

"The extension would give migrants the right to organize and set up procedures to bargain with farmers for better work conditions and wages.

" 'We must guarantee employes the right to organize and bargain collectively, and we must make the orderly procedures of the act available to the (agricultural) industry,' the subcommittee's yearly report said.

" 'Mounting evidence confirms that the lack of established procedures for communication, elections, negotiation, arbitration and settlement by employers and employes leads to costly strikes and disruption of interstate commerce,' the report said.

"The subcommittee also suggested increasing Labor Department personnel to insure adequate compliance with crew leader registration laws.

"Unemployment compensation coverage for migrants would be a 'great step forward' in providing small amounts of income for migrants during the off-season periods.

"Of all 50 states, the subcommittee reported, only Hawaii has made its unemployment program applicable to agricultural workers.

" 'Most often the migrant worker is unemployed through no fault of his own,' the report said.

"Other suggested legislation by the subcommittee would extend workmen's compensation programs to cover all migrant workers.

" 'While such laws (workmen's compensation) have traditionally been within the province of state government, the interstate recruitment and employment of migratory farmworkers . . . strongly suggests the desirability of federal action in the area.'

"In addition, the subcommittee suggested modifying the Social Security Act to shift the burden of reporting wages from the crew leader to the farmer.

"Often, the subcommittee found, crew leaders did not make sufficient reports to the federal government to guarantee benefits to migrants under the Social Security Act.

"There has been little movement by Congress to adpot any of the subcommittee's proposals to better migrant work conditions."

"[From the Palm Beach (Fla.) Post-Times, Oct. 8, 1969]

"For $50 a Month : A One-Room Shed, No Toilets

"(By Kent Pollock)

"Where there isn't tall grass there is deep mud.

"The foul odor of poverty fills the air as you walk between rows of decayed wooden shacks.

"You tell yourself human beings cannot live here, but you are wrong.

"A group of barefoot children romp in the mud and the broken glass and the garbage, smiling, not knowing better.

"It is not a pretty sight.

"You are at Armstrong Quarters in Pahokee, the homes of some 35 families of former migrating farm workers.

"When some 38,000 migrants arrive in Palm Beach County next month they will be fortunate if they can find housing this good.

"Some will sleep in old buses and cars for a while before finding a place to call home.

"Others have paid as much as $7.50 per week while working "up the road" to reserve one-room sheds without inside toilet facilities.

"Housing is a critical problem to the migratory farm laborer. There is no such thing as really comfortable migrant housing—only bad and worse.

"According to information compiled by the Florida Migrant Health Project, 18,416 farm workers were housed in private facilities last year in the Glades.

"The other 52 percent of this county's migrant population lived in public housing camps. Private housing is hard to find even during off-season periods.

"Annie Lee Harris was burned out of her home in Pahokee in early February. For three days Mrs. Harris and her six children searched for shelter.

"Finally they found a rotten shack in Davis' Quarters. They haven't located anything better.

"Davis' Quarters is just outside the Pahokee City limits. It was condemned by the county health department and ordered vacated by Sept. 1, but many families still live there.

"In fact, few have left.

"A U-shaped dirt road filled with huge potholes runs through the horrible housing. Toilet facilities consist of tin sheds covered with grass.

"Diane Freeman, 9, shows you where her toilet is located. Her two younger sisters run along with her in bare feet as she makes her way through grass, broken glass and soggy garbage.

"Diane is Georgia Bell Freeman's daughter. Georgia Bell and her family moved to Davis' Quarters years ago.

"The outhouse is covered with weeds and grass. The girls giggle when you shake your head at the excreta-covered privy.

"A hole in the ground, a rickety tin shelter overhead, a piece of plywood with a rough-edged space in the center—this is the migrant bathroom.

"Ella Mae Jenkins lives across the street with her nine children. They, too, have an outdoor privy.

"When you open the outhouse door a rat so big it doesn't even run in fear stares you in the eye.

"Ella Mae sees rats inside her house almost daily. A child was bitten in the head by a rat not long ago in Davis' Quarters, she says;

"There are those who say Davis' Quarters, Armstrong Quarters and other such facilities are rarities. But it is not so.

"For every migrant house with individual inside toilet facilities in the Glades area you can find a shack without them.

"At Thompson's Quarters in South Bay, families live in ten-foot-square rooms. They have inside water, but it is cold unless they can afford to have the electricity turned on.

"One woman says she doesn't have her electricity turned on because her meter covers two houses and she can't pay for someone else's power.

"The toilets at Thompson's Quarters are attached to a sewer system and will flush—sometimes. But they haven't been cleaned for months.

"Derotha Franklin lives on the main street in South Bay. She hurt her toe last November and her leg became infected. In December she lost her right leg about the knee.

"She too lives in a one-room house. Her toilet is located 200 feet down a hallway and is shared by several other families.

"For this she pays $10.50 per week. If she doesn't pay, she will be evicted—almost immediately.

"Most slum rental is on a weekly basis. If the tenants don't pay they are put out. The housing shortage is so critical there's always someone to fill the shack.

"Rent at Thompson's Quarters runs $5.75 per week. Some pay $28 per month.

"At Davis' Quarters it's as much as $10 per week. At Armstrong Quarters it adds up to about $50 per month.

"Armstrong Quarters is only a few blocks from downtown Pahokee. It is owned by Dr. and Mrs. L. W. Armstrong.

"Mr. and Mrs. Jim Garrison live on the corner of Reardon Ave and Carver Place in one of the better houses at Armstrong Quarters.

"Their income during the summer consists of $67 in welfare assistance and $82 in aid to the disabled. Garrison has a kidney ailment and must go to the hospital twice monthly at a cost of $42 per visit.

"The Garrisons pay $50 per month for rent and about $12 per month for water and electricity. Their water is located on the corner of a community outhouse.

"The toilets are connected to a sewer system, but residents say the only way to flush them most of the time is by dumping a bucket of water inside.

"Dr. Armstrong is an elderly retired dentist. He and his wife were among the pioneers of migrant hiring in the Pahokee area.

" 'Doc and I brought the first niggers into the area to farm in 1916,' Mrs. Armstrong says proudly.

"The Armstrongs say they cannot afford to better their housing facilities. Besides, Dr. Armstrong said, 'I haven't heard of too much migrant dissatisfaction because we have ample housing here.'

"He said he felt his views were representative of most property owners in the area.

"Dr. Armstrong said he builds concrete block structures with inside facilities to replace shacks destroyed by fire or vandalism.

" 'We can't afford to put inside toilets in the others. It would cost thousands of dollars.'

"The area needs more housing, Dr. Armstrong said, but not public housing.

" 'I'm afraid they're (public housing authorities) going to overdo it . . . there's such a thing as too much housing for too few jobs, you know.'

"Dr. Armstrong said housing for migrants did not really need upgrading.

" 'I don't think the migrants suffer for anything. I don't think they do. They should and could better themselves but they don't want to work. It's not because they can't find work.'

"There are many who would agree with the retired dentist. But W. C. Taylor president of the Progressive Citizens Association, does not.

"He says the answer to migrant housing problems is in ownership. His organization bought land and sold it to migrants at reasonable prices.

"The project developed into Progressive Park subdivision. Already 49 families have settled there.

"His organization was formed by nine migrants who decided to better their lives.

"Taylor, like many men who fight hard to better migrant living conditions, feels that housing codes should be strictly enforced.

"County officials agree, but ask where they can relocate the thousands of people who would be evicted through strenuous condemnation.

" 'We haven't pushed too hard. You can't move these people out unless you've got someplace to put them. There's a critical shortage of housing,' William Tucker of the county health department said.

"Tucker is in charge of housing and labor camp inspections in the Belle Glade area.

"Since there is no place for the impoverished slum dweller to move if his house is condemned, Tucker's efforts have focused 'more or less on education.'

" 'It mainly consists of talking to the landlords and pointing out these deficiencies. We also try to work with tenants . . . improving housing and getting rid of some habits which lead to accumulation of filth.'

"George Wedgeworth, president of the Sugar Cane Growers Co-op of Florida, said there had been a lot of excellent housing built in the past 10 years in the Glades area.

"He is in favor of more housing, whether it's built by private enterprise or public housing authorities.

" 'Our farm organizations are to a great degree dependent on a good and stable source of workmen. Labor to us is as important as capital, as farmland, as management or even as owners themselves,' Wedgeworth said.

"Everyone in a position to better migrant housing is aware of the problem. But some simply won't publicly admit that there is a housing shortage.

"There is no quick solution.

"Meanwhile, the migrants suffer. They are serving life sentences in the prison of their environment.

"SENATORS PROPOSE EFFECTIVE ENFORCEMENT OF HOUSING CODES

"The U.S. Senate subcommittee on migratory labor proposed that federal agencies should encourage strong, effective enforcement of existing housing codes.

"The subcommittee reported that while 42 per cent of all farm housing is substandard only 14 per cent of nonfarm housing was substandard.

" 'Only in isolated instances has housing for migrants been constructed to meet minimum standards of health, safety and sanitation,' the subcommittee reported.

"It suggested that a substantial portion of housing appropriations be earmarked to carry out rural housing programs.

"The subcommittee also proposed an incentive for farmers desiring to build adequate migrant housing in the form of rapid tax amortization of construction costs.

"A rapid tax amortization period of five years as opposed to the current 20–40 year period in the case of some farm housing was suggested.

"The subcommittee also recommended that the special amortization incentive be applied to remodeling of existing farm housing facilities not up to standard.

"To qualify for the special tax treatment, the owner of housing for farm laborers would provide housing which is decent, safe and sanitary; establish a reasonable rental price; make the housing available primarily for farm workers during the five-year period; and operate the housing in accordance with standards of safety and sanitation.

"Whether Congress will pass legislation to cover the subcommittee proposals remains to be seen."

"[From the Palm Beach (Fla.) Post-Times, Oct. 9, 1969]

"MIGRANT GETS WHAT'S LEFT

"(By Kent Pollock)

"There are five publicly owned, federally financed migrant housing camps in Palm Beach County.

"Each has shanties unfit for human habitation.

"The decent shelters are occupied by yearly residents. As new facilities are built, more year-round residents move in.

"A migrant gets what is left—and it isn't nice.

"The worst facilities were built under a U.S. Department of Agriculture grant in 1939. Since then there has been little maintenance.

"Some sheds are twelve-by-twenty foot tin shelters which often house families of nine or more.

"A quick tour of the five camps begins at Everglades Camp, one of three operated by the Pahokee Housing Authority.

"The camp is located outside the city on State Rd. 15. A row of royal palm trees ironically lines the main entrance to the insect and rat-infested facility.

"Washtubs hang on the sides of huts. Children and mangy dogs play in the filth.

"The signs of poverty are everywhere.

"Community bath houses are at various locations. It's impossible to imagine the migrants' plight, bathing, inside a rickety facility which stinks.

"There is running water available from a number of faucets. Some are as far as 100 yards from houses.

"The migrant toilet here is no different than it is in other places—a wooden shack, shared by several families.

"Up the road, toward Pahokee, is the Pahokee Farm Labor Center. It houses only white laborers and has been mostly demolished.

"It is designed in the same manner as the all-black Everglades Camp.

"There is little difference between the atmosphere in the two facilities, but at least most of these shacks have been destroyed.

"Residents have ingeniously pulled plastic covers over windows broken long ago. Old newspapers stick through cracks in the wall depiciting a hard-fought battle against cold wind.

"Although maintenance at both camps appears almost non-existant for the shacks, the camp managers homes near each entrance are freshly painted and clean.

"The third Pahokee Housing Authority camp is a black facility located on U.S. 441 about eight miles north of the city.

"They call it Sandcut Camp or Canal Point Camp. Like the other labor centers, Sandcut Camp was condemned in 1962.

"The only water at Sandcut Camp comes from Lake Okeechobee and is often brown with mud. The shallow lake become murky with the slightest of storms.

"Houses stand on wooden stumps and lean at varying angles in the muck.

"Belle Glade's two farm labor housing centers are no better.

"There is considerable construction under way at the city's two camps, but many families still reside in tin shacks.

"The shacks are without plumbing. Electricity comes in the form of dangerously frayed cords running from place to place.

"Okeechobee Center, the city's black camp, is located on State Rd. 80 a few miles outside downtown Belle Glade.

"Residents of the faded green sheds here are poor, often hungry and always miserable.

"A young man of about 15 months plays in the mud. Someone has tied a brown paper bag to his waist with string for underwear.

"One toilet facility at this camp is the worst in any of the five publicly owned facilities.

"Upon entrance the odor is stifling. The toilets are literally piled full of human waste. I didn't go close enough to determine whether they flush.

"When I turned to exit my foot slipped. I looked to the floor and shivered at what I saw.

"When the toilets filled, the migrants begin using the concrete floor instead.

"Most human beings could not exist in such conditions. It is expected of a migrant.

"Outside the outhouse there's a water faucet—the only water faucet for several families.

"A piece of old wood provides a makeshift bridge over the green slimy mud surrounding the faucet. A group of children wait their turn to drink from the rusted, corroded fixture.

"Osceolla Center is the other Belle Glade camp. It, too, has tin sheds and outhouses. Poor whites live here.

"The facilities have been maintained better than at Okeechobee Center. Toilets flush and bath houses are in working condition.

"Fewer people live in the tin sheds here than at Okeechobee Center.

"Both the Belle Glade and Pahokee labor camps are racially segregated, yet they are supported by federal funds.

"The men in charge maintain that camps are segregated by the residents' wishes.

" 'We are not segregated as far as we are concerned. We have no colored people living in this one and no whites in the other but the people segregate themselves,' Fred Simmons, Belle Glade Housing Authority director said.

"He added, 'I don't want to say we're segregated because nobody's allowed to be segregated any more. You knwo that.'

"James Vann, Pahokee Housing Authority director for the past 23 years, said his authority's segregated camps 'apparently resulted from the desires of the tenants rather than any policy of this housing authority.'

"He added: 'We have had an open policy on this for three years.'

"The Civil Rights Act of 1954 guarantees equal housing opportunity to Negroes.

"Simmons said his authority didn't intend to get involved in forcing camp integration. 'We'll let nature take its course on integration,' he said.

"Both housing authorities have expansive new housing projects under way to better their filthy, slumlike condition.

"But the new projects will not aid the migrants.

"Housing is a problem in both communities and as quickly as low-income facilities are constructed they will be filled by year-round residents.

"Pahokee's three farm labor camps are to be demolished. The Farm Labor Center will be closed next year and the others should topple by 1972, making way for planned low-income housing projects.

"Vann said many migrant families which use his labor camps won't qualify for his authority's new low-income housing because of poorly kept income records.

" 'That's the sad part of the problem. They (migrants) have a problem but we have no answer to it. I don't like the implications of what I'm saying, but it's just a statement of fact,' he said.

"Many migrants could not qualify because they make more than poverty level incomes. But their wages are often wasted on exploiting hustlers for food, rent or poor purchases such as faulty automobiles.

"They remain in the poverty cycle.

"There are many who feel the only answer to the problem is individual home ownership. Alan Kuker, an attorney with South Florida Migrant Legal Services, is one.

" 'Public housing is not the answer. The answer is individual home ownership. It's not only the way I feel about it, it's the way the migrants feel about it as well,' he said.

"Roy Vandergriff, a sweet corn, celery and bean farmer, also prefers private housing to public housing—if the private housing is adequately maintained.

" 'My opinion is that either private or public housing should be brought up to standard or removed. It's that easy. I would prefer private housing providing it's adequate, or even housing owned by the workers,' Vandergriff said.

"After extensive research, a report by the American Friends Service Committee's Migrant Project suggested establishment of a county housing authority and sewer system.

"The housing authority would provide more housing at reasonable rates. The sewer system would allow private enterprise to economically build low-cost housing. "County commissioners have already taken the first steps towards formation of a county housing authority, but it will take at least a year before the organization is a reality.

"Directors of the Belle Glade and Pahokee Housing Authorities contend they have done all they can to maintain their labor camps.

"Last year, the Belle Glade Housing Authority spent more than $110,000 in maintenance of its two camps—but the filth continues.

"Pahokee Housing Authority Director Vann says he spends as much as possible for maintenance of his camps but makes only necessary repairs because the camps are closing.

"That only minor repairs are made is evident.

"There are an estimated 410 families which rely on the Belle Glade Housing Authority for shelter. Some 1,700 people live in Pahokees' farm labor centers.

"When about 38,000 migrants arrive in Palm Beach County next month these figures will skyrocket to enormous proportions.

"The problem is gigantic. And it probably will get much worse before it gets better.

"ONE NEED: GET RID OF REDTAPE

"There is a need to formulate a serviceable plan of action to combat overlapping jurisdictions of the various agencies administering low-income, rural housing programs.

"That was the finding of the U.S. Senate subcommittee on migratory labor last year.

"The subcommittee said the overlapping caused frequent delays and a frustrating maze of red tape for rural low-income housing applicants.

"The subcommittee also found that greater attention should be given to employing modern technology to provide inexpensive housing for migrants.

"It suggested utilizing prefabricated or portable buildings that could be transported from place to place depending on migrant needs.

"Agencies administering federal housing projects for rural areas, particularly for migrants, should also investigate the possibility of collapsible structures, the subcommittee said.

"In addition, the subcommittee asked that federal agencies encourage strong, effective enforcement of existing housing codes.

"One possible approach to better migrant housing camps, the subcommittee said, would be prelicensing powers to prohibit occupancy of defective structures.

"The focus of all federal rural housing projects, the subcommittee said, should be on the local level 'in direct response to local needs.'

"Legislators have not expressed any intentions of adopting such legislation."

"[From the Palm Beach (Fla.) Post-Times, Oct. 10, 1969]

"AN ELDERLY MIGRANT WHO WAITS TO DIE

"(By Kent Pollock)

"Lillie Mae Brown is waiting to die.

"Her tired body let her down five years ago following an abusive life of migration from state to state as a farm worker.

"She hoed cotton, picked beans, pulled corn. She harvested food for an affluent nation.

"The work all but killed her.

"Now she is forgotten.

"She just sits in a decayed one-room shack in South Bay. There is nothing else to look forward to.

"She is not a lonely person. She has her faith in God.

"The hot water heater doesn't work because Lillie Mae can't afford to turn on her electricity. But the rats behind it don't seem to mind. You can hear them scratching and gnawing day and night.

"There are so many Lillie Mae Browns in the migrant world. They travel everywhere, but belong nowhere. No community outside their world really accepts a migrant.

"The traditional rejection continues when migrants grow old. They exist in a subculture all their own, separated from other impoverished Americans.

"'I have no one but myself,' Lillie Mae says. 'If it wasn't for the Lord what would happen to me today . . . he's my mother, my father, my sister, my brother.'

"The thought brings tears to Lillie Mae's eyes. She wipes her cheek with one hand. The other holds a vest-size edition of the Bible.

"Lillie Mae was born in 1906. Nine years later, she began working in the fields with her family.

"She was born 'up the road' near a bean field in Charlotte, N.C.

"'I been working ever since I was big enough to know it. Field working all my life. I worked when I was too young to work. I used to go in the woods and cut cord wood when there wasn't no crops..'

"Lillie Mae's past is not a happy one, but she enjoys reminiscing anyway.

"She sits on a milk crate. The only light inside her 10-foot square shack rushes through a decayed doorway. At night, she lights a kerosene lantern.

"She jokes about her fat body. It is the product of illness and a poor diet.

" 'I been heavy all my life. I weigh 268 right now. I've been fat all my life. I guess I was born fat as a baby, yes sir.'

"She doesn't remember when she left home, exactly, but she remembers why she left her family of 22.

" 'When I left home my daddy was mean to me. He treated me like I was a dog. I left home to keep him from beating on me, knocking on me.'

"Whatever happened to young Lillie Mae Brown—the young woman who worked by day and played by night; the woman who landed in jail four times on morals charges?

" 'I'm just tired and old, that's all. You see, I's been just a poor little girl all my life, yes sir. I never had nothing. I had a hard way to go, that's right.'

"It was in 1965 that Lillie Mae's body finally quit on her. It could work in the fields no longer. Her heart, her lungs, her back all quit.

" 'I took sick and never worked no more.'

Sad, perhaps, but it was while Lillie Mae was in the hospital that she became 'a child of God.' It was there that she gained the faith that keeps her alive today.

Her words tell the story well:

" 'I know I'm a child of God 'cause I've been born and been healed by the spirit. Praise the Lord, I know it 'cause Jesus come into my room and told me when I was flat on my back in Belle Glade hospital.

" 'And God came and stood over my bed and I asked Him to heal me and he told me that he would. And I knowed it was Him 'cause He had His hair parted in the middle and coming down on each side.

" 'And I looked at Him like I'm looking at you. I said Lord I know it's you. And He had three trains running in and out. Each one of them trains had eight coaches on each side, listen to me good, and the train in the middle, it had 11.

" 'He said pick out which one of these trains you want to ride. I said I want that train in the middle, that's a fine coach. And He said this is the train to ride, 'cause that's the one I drive and I am Jesus. Hallelujah, hallelujah. I know I'm all right.'

"Lillie Mae Brown is crying now.

" 'He's my God, Dr. Jesus. He's my God. He stood on my bed with his hair flowing to the floor and He healed me.'

"You listen to Lillie Mae, the child of God, and you wonder why she has to be poor.

"Her washtub is opposite you under an unsteady shelf. Beside the shelf is a kerosene stove sitting on an orange crate.

"Why must this woman of faith live in this Hell on earth? Will death be kinder to the old woman?

" 'I'm not afraid to die 'cause I'm a child of God. I'll let God handle it like he wants it. I know I got to die. I was born to die. I'll die when God gets ready for me.'

"She raises both hands to the air, her Bible clutched tightly in the left hand.

" 'I ain't got too much longer to wait. God's going to let me know when He gets ready for me. I'm already ready. Whenever He calls me I'm going to be all right.'

"Heaven to some, is a very personal thing. It often reflects a person's innermost feelings.

"Many people look to Heaven for personal betterment, but not Lillie Mae.

" 'Heaven is going to be a beautiful home for everyone. It's a beautiful place, a level country. Everything is living happy. All the human beings is living together and the Holy Ghost, he'll be on the inside and the devil can't get in. And the gates will be open when I get there.'

"This is Lillie Mae Brown. She was a migrant all her life.

"Her worldly possessions sit at the foot of her raggedy bed in a wooden chest. On the wall above is a calendar inscribed with the Lord's Prayer.

"The food she eats is contained in four tin cans. There is lard, flour, corn meal and rice. A hunk of cheese sits in the sink.

"The meat she occasionally buys is stored in a friend's freezer. Lillie Mae doesn't even have a place to put a block of ice for food storage.

"Lillie Mae Brown picks up her small Bible and begins reading it to herself.

"She is waiting to die."

"[From the Palm Beach Post-Times, Oct. 11, 1969]

"BUBBA BOONE: A MIGRANT OUT OF THE STREAM

"(By Kent Pollock)

"He speaks of the migrants with passion. He knows their despair.

"For nearly 30 years Bubba Boone worked in bean fields from Florida to New York helping support a family deserted by its father.

"He lived in a bean box when he was a baby.

" 'I sat in that bean box and when I cried mother would come over and caress me. . . . I started working as soon as I was old enough to crawl out of that box.'

"Bubba is an investigator for South Florida Migrant Legal Services.

"Through education the former migrant found his way out of "the stream." Now he has dedicated his life to helping others leave the self-perpetuating cycle.

"He speaks out against the injustices he experienced as a migrant. He says a migrant's life is worse than that of a slave.

" 'At least when farmers owned slaves they treated them as their property.'

"Bubba was the first black student from Pahokee to graduate from Everglades Vocational High in Okeechobee Farm Labor Housing Center.

"He looks at the migrant problem emotionally. He says it's hard to explain his feelings to a man who hasn't lived the life of a migrant.

" 'The migrant is where he is because there's no place else for him to be. He's left outside society . . . he's not included in society, not in the laws . . . there's no equal protection under the law for a migrant.'

"Bubba is sitting at his desk in an air conditioned office. It is quite a contrast from his former life working in bean fields.

"But he still toils in the fields for extra money sometimes. He recently spent his two week vacation planting and hauling potatoes.

"He wears gray pants and a shirt without tie. It is buttoned down, neat and starched. His hair is cut short, especially in front.

"His face is an open book. His eyes speak frankly.

"Society, says Bubba, made the migrant what he is today and has an obligation to change him into a full member.

" 'Experience has taught the migrants that nobody cares about them. Experience shows them they are the scum of this earth, they're the absolute rock bottom of American civilization, and they know it.

" 'It's the obligation of society to change these people. They are a part of society. These same people who are not allowed to reap the benefits of society are paying taxes along with everyone. They do all the things society demands of them and yet they receive nothing in return.'

"The only solution to the migrant problem is the complete elimination of the migrants, Bubba says.

"But to make change you must have power, he says, and the migrant is "the most powerless person in America."

" 'Money makes power, education makes power, legislation makes power—we have none of these.'

"Bubba Boone doesn't understand why a migrant must suffer merely because he is a migrant.

" 'This country was created on the theory of being the land of the free and the home of the brave but you still have people living under a form of slavery and you have some people who are not very brave because of it.

" 'There are people who are afraid to tell their boss man he's a liar or even disagree with him. There are lots of kinds of slavery—there's financial slavery, there's political slavery. There's every type of slavery imaginable, even physical slavery.'

"Legislation is the first necessary step for bettering the migrants' lives, Bubba says.

" 'Laws that govern all the people, not laws that govern only a part of them, that's what's needed. Then when you make the laws, enforce them. How much enforcement have we had of the Civil Rights Act?'

"Now Bubba is warming up. He leans forward, clasps his strong hands, sits on the edge of his chair.

"What he is saying has been on his chest for a long time.

" 'Money is still the main power. We say that each man has an equal vote and all this, but a man with money rules the country his way.

" 'The farmer with 10,000 acres gives the orders. He gives the orders because he contributes to campaigns. Then the officials who are supposed to be representing both me and the farmer represents the farmer when our interests conflict.'

"He leans back in his chair, relieved. He smiles because he feels good now.

" 'It's the same old conspiracy, there's no getting around it. It extends all the way from the lowest government to the top. It's nothing new, everyone knows that.'

"Bubba says it is difficult to find older migrants ambitious enough to really start organizing for change.

"What you will find is a man who is absolutely even without hope. A man who works hard and all he has to look forward to is another day like the one he just had.

"For this reason, Bubba focuses his efforts on younger migrants who have more ambition.

" 'The younger migrants come into a little bit closer contact with society and see a small ray of hope. You hear them talking about owning a home, getting out of the stream.

" 'But necessity keeps them there. They are untrained workers with no special skills. The jobs you see advertised in the city require some experience, they're only experts in harvesting crops.'

"Bubba says he tries to convince migrants to keep their children in school. Education can build the foundation for change, he says.

" 'For me education and ambition were the key. I believe they are the basic essentials for others.'

"Discrimination is hard for Bubba to understand even though he has felt it as a black man and a migrant all his life.

"There are restaurants in the Glades are of Palm Beach County which will let Bubba sit inside without service.

" 'They won't kick me out, but I'd get pretty hungry waiting for them to serve me.

" 'Why does one man hate another because he's black or he's a migrant? If someone had a good reason for hating me I'd admire him. . . . If the time ever comes when a man is judged on his own merits, we'll be somewhere.'

"But Bubba doesn't foresee rapid change. He is patient, but every day he hears a new story of a migrant family in misery.

" 'All you can do is hope for a change and this I do every day.'

"*Here are excerpts of testimony before the Senate subcommittee on migratory labor in June:*

"Bubba Boone: 'All migrant workers, without regard to race or color, are continually subjected to illegal discrimination by their employers, landlords, governmental agencies, places of business and even other members of their on races.

" 'Even the word migrant has become a dirty word. It is deplorable that we work under the most depressing conditions for ridiculous wages, but we are, in addition, subjected to this special discrimination—adding even greater burdens on the lowly harvesters of this nation's crops.

" 'The prejudices that I have experienced are by no means centralized. I, as a migrant, have at one time or another experienced almost indiscriminately the injustices in every state between and including New York and Florida.

" 'In almost every state, highway patrolmen lay in ambush waiting for the migrant caravans to prey on them and drain from them whatever small savings they might have in the form of fines.

" 'It all seems to be a part of a national conspiracy to keep us on the lowest level of human existence on this continent. Time and again I have searched for a reason for being so intimidated. As yet, I have found none.

" 'We, the migrant, live in fear, because we have been indoctrinated with it. We live in shame because we are treated as the scum of the nation. And we live in hopelessness for experience has shown us there is no road open to us except back to the field.'

"Newlon Lloyd, former crew leader from Opalocka: 'Years of living in such an environment has conditioned many workers to accept their station in life in a slave-like fashion. They believe that life will not change for them or their children and that the best course to follow is the one that makes the least number of waves.

" 'Do the migrant workers provide the food for our nation's tables? Yes—despite his vital role in putting food on the nation's tables, he is hard put to provide for himself. Why?

" 'Migrant workers are caught in a circle of exploitation. The system which they labor under is outdated. Therefore. it works against them.'

"Sen. Walter F. Mondale of Minnesota: 'What would you say about housing provided for the farm worker?'

"Boon: 'It is deplorable . . . the government built some housing in this area (Pahokee) for emergency use back in 1942 and these same houses have possibly more than one-third of the town's population. And they have been condemned for about eight years.

'People are living there, and there is no other place in town to stay. What they end up doing, they have to live in condemned shacks.'

"Sen. Mondale: 'When I was in Immokalee, I was surprised at the filth and the sanitation levels, things which the tenant can't fix. You have to have plumbers and this and that come in and fix it.

'What about the sanitation levels in this housing?'

"Boone: 'You wouldn't believe it. You have to see it. You actually wouldn't believe it. There is no sense in my telling you.'

"Sen. Mondale: 'I saw it. I don't want to go back.'

"Boone: 'You didn't see the worst.'

"Sen. Mondale: 'I had to get out of where I was. I couldn't stand it.' "

"[From the Palm Beach (Fla.) Post-Times, Oct. 12, 1969]

"THE COUNTY'S EFFORT EXPANSIVE BUT NOT ENOUGH

"(By Kent Pollock)

"Palm Beach County has not turned its back on the migrant.

"County programs in the areas of health, education and legal aid are expansive, covering many of the basic problems of migratory farm laborers.

"The programs. however, have not reached the vast majority of the 38,000 migrants who enter the county yearly.

"Ths fact lends support to a Senate subcommittee on migratory labor opinion that the solution to the migrant problem lies in the discontinuation of migration as a way of life.

"More than 1,000 migrants received medical services at family health clinics, private physicians offices and hospital emergency rooms through the county's Migrant Health Project last year.

"Health clinics in Belle Glade and in the 'rangeline' area of eastern Palm Beach County served most the migrants. Services included medical, pediatric, prenatal, gynecology, veneral disease and family planning.

"Patients with acute illnesses were referred to private physicians or hospitals at the county's expense.

"The county also operated dental care clinics for migrants which served 720 patients last year.

"Education programs administered for migrants by the county school system fall under two main categories—adult and child education.

"There are an average of 90 adults served through the system's adult education program yearly at a cost of $50,000.

"The adult education program provides subsidies for migrants attending classes. Adults receive $30 per month plus $3 per child up to five children while attending classes.

"To be eligible for the program the adult must have earned at least 50 percent of his income during the preceding year in agricultural work and must be employed on a seasonal basis. His income must also be below the national poverty level.

"Classes teach basic skills such as reading and writing. Special emphasis is placed on vocational skills such as tractor driving.

"There are a wide range of children's programs aimed at advancing the county migrant education level estimated at six years of school. This falls below the national average of 8.6 years.

"The 13 migrant child educational programs fall under five basic areas at a cost of $882,000 yearly.

"Physical well being including clothing and food services.

"Bridging experiences to acquaint migrant children with the ways of modern society.

"Language development.

"Personal and social development.

"Occupational development through vocational training.

"One of the newest migrant programs administered by the school system will be a radio station operated from Hagen Road Elementary School in Belle Glade.

"The station will carry shows aimed at bridging the gap between the school and the home at a cost of $60,000 yearly.

"South Florida Migrant Legal Services, changed recently to Rural Legal Services with much of the same personnel shifting to the new organization, had an active program in Palm Beach County aimed at lending legal aid to migrants and identifying their problems.

"In addition to representing many migrants in court, SFMES published a book which attempted to outline the basics of the migrant plight.

"Alan Kuker, an attorney with SFMLS, said his organization found that one problem is that migrants do not have 'the basic rights of the American citizen.'

"Kuker said new legislation was essential in the areas of unemployment compensation, workmen's compensation and the rights of the farm worker to organize through extension of the National Labor Relations Act.

"The Senate Subcommittee on Migratory Labor also suggested legislation extending the NLRA to include agricultural workers.

"Extension of the act would allow migrants to organize and set up procedures to bargain for better work conditions.

"However, the subcommittee reported, the migrant plight cannot be solved by 'piece-meal attempts to facilitate mobility . . . to make dislocation bearable.'

"They offered only one long-range solution to the problem.

"'We must encourage and aid his (the migrant's) withdrawal from the migrant stream, and permit him to become a permanent member of an agricultural community where he is needed' the committee's yearly report says.

"To accomplish such a long-range goal, the report says, 'the migrant must be offered a viable economic alternative' to his life of migration.

" 'An interim program of income assistance for the migrant worker might be necessary pending the establishment of nonfarm jobs which have their high demands coincident with low workers needs in surrounding farm areas.'

"The committee hopes additional rural industrialization might alleviate some problems of overcrowding in the cities.

" 'Of course, an end to the migrant stream is not an overnight affair,' the report says.

"The first step suggested in the report includes an evaluation of the precise labor requirement of each agricultural area.

"After the areas of need are defined, the report suggests an effort to redistribute and permanently place farm workers in farm communities in numbers compatible with needs.

" 'Finally, and of paramount importance, emphasis must be placed on more intense development and attraction to rural areas of the many activities previously found in cities and large metropolitan areas.'

"If efforts aren't made to carry out the subcommittee's suggestions things will get worse, the report says.

" 'The short supply and decreasing number of jobs, and the abundance and growing number of workers . . . is likely to worsen in both the short and long run unless dramatic efforts are made to alleviate the situation.'

"Farm employment, through increase mechanization, is expected to decline between 1967 and 1980 from 4.9 million to about 3.6 million.

" 'The migrant worker and his family face a near hopeless future. Each year the migrant's opportunities will become further limited as the educational and skill requirements of tomorrow's farm jobs are increased.'

"Programs designed to eliminate rural poverty are a 'myth' to the migrants because their mobility makes it difficult for them to participate, the subcommittee report says.

"Sen. George Murphy of California wrote the subcommittee's minority report and opposed extension of the National Labor Relations Act to cover agricultural workers.

"Such an extension, Murphy said, 'would undoubtedly represent the last straw for thousands of farmers who are barely able to keep their heads above water under present conditions.'

"He said migrant organization would lead to higher wages and force farmers to mechanize to a greater degree.

" 'To the extent that increased mechanization will reduce the number of unskilled jobs on the nation's farms, it will aggravate even further the crisis of our cities by encouraging additional hundreds of thousands of unskilled, uneducated, practically unemployable people to migrate from rural to urban areas in search of, at best, jobs which do not exist, or, at worst, relief' Murphy said.

"Of 13 basic recommendations for legislation proposed by the subcommittee, only the extension of the five-year Migrant Health Program is headed for rapid enactment.

"A subcommittee spokesman in Washington told The Post speedy passage of any of the proposed legislation was 'doubtful.'

"Meanwhile, time is running out for the migrant.

"Anway you slice it, it's Hell being caught up in the migration to misery.

"A KEY : AMEND SOCIAL SECURITY ACT

"Two amendments to the Social Security Act would eliminate 'discriminatory treatment' of the migrant under the Act, a U.S. Senate subcommittee on migratory labor said last year.

" 'Old age, survivors, and disability insurance is one of the few major areas . . . from which agriculture migrants may receive even the slightest theoretical benefits. But even in this area, like all others, inadequate coverage prevails,' the subcommittee's yearly report said.

"The proposed amendments include eliminating restrictive wage and work period qualifications and the law which makes the crew leader an employer for Social Security purposes.

"The migrant, due to his low pay and short employment periods, often doesn't meet the Social Security Act qualifying requirements of receiving wages of more than $150 from one employer during the year.

"The only other way a farm worker can qualify for Social Security benefits under present law is through working for one farmer the equivalent of at least 20 days.

" 'Every dollar that these citizens are allowed to pay for their own social security entitlement will lessen the financial burden on the taxpaying public during the workers' nonproductive years' the subcommittee report said.

"Congress has not yet acted to amend the act as proposed.

"THE RECOMMENDATIONS OF THE SENATE SUBCOMMITTEE ON MIGRATORY LABOR

"Here are the programs proposed by the U.S. Senate Subcommittee on Migratory Labor to alleviate the plight of the migrant:

"Extension of National Labor Relations Act to include migratory labor.

"Extension of five-year Migrant Health Project.

"New nutrition programs aimed at serving migrants.

"New rural housing programs with appropriations from older programs earmarked for rural housing development.

"Review of current Office of Economic Opportunity programs for effectiveness and possible extension.

"Better protection for youthful farm workers.

"Expansion of current migrant education programs.

"Increase in Labor Department personnel to insure crew leader registration.

"Extension of compulsory workmens' compensation laws to provide coverage for all agricultural workers.

"Modify Social Security Act to shift burden of reporting wages from crew leader to farmer.

"Legislation forbidding states to deny right to vote on account of residency in national elections or physical presence in any election.

"Establish national advisory council on migratory labor to provide long-range understanding of conditions, needs and problems of migrants.

"Evaluate causes of unemployment and underemployment of migrants with views towards ending migratory way of life."

(Excerpts from Hearings before the Select Committee on Nutrition and Human Needs of the United States Senate, 90th Congress, Second Session and Ninety-First Congress, First Session on Nutrition and Human Needs, Sen. George McGovern, chairman, Part 5 A—Florida, at Immokalee, Florida, March 10, 1969, from pps. 1555–1565.)

(The following staff survey was made available to the members of the committee:)

"STAFF SURVEY

"(County Commissioners: Lester Whitaker, A. C. Hancock, Ewell Moore)

"Mr. Michael Foster's statement indicates reactions and attitudes of the Commissioners with respect to efforts to institute a commodity program in Collier County. Recent press stories also contain references to their efforts and quoted reactions of the Commissioners.

"Mrs. Marion Fethers, a social worker in Immokalee since 1962, said last week of the Commissioners (Miami Herald, March 9, 1969):

" 'We have been before them time and time again, asking for help for hungry people . . . and in 17 years they have never spent one penny on migrants.

" 'A couple or three times they did help us with the paperwork when we got emergency federal relief . . .

" 'The County Commission has never given us any money. No they never.'

"In March 1968, Mrs. Fethers told the County Commissioners about 150 families suffering from severe hunger because of a combination of farm conditions (high winds and low temperatures) and restrictions on local government assistance. She said less than $1000 was needed to carry the families through a three week period.

"In May 1968, Mrs. Fethers told the Fort Myers News Press (March 7, 1968):

" 'I go into homes and look into the refrigerators and cupboards and I know they were hungry. I sometimes feel the children are forgotten.'

"In July 1968 the Miami Herald reported (July 17, 1968) that efforts to hire 12 migrants in other day labor jobs were unsuccessful. *Chairman Wittaker* was quoted as saying: 'Theres something wrong with hungry people when you can't hire 12.'

"*Commissioner Hancock* said: "They're not hungry enough."

"*Commissioner Moore* said: "There is work available, cleaning ditches and culverts with grubbing hoes, and if they won't report for work cut them off.'

"Just prior to the County Commissioner's rejection of the offer of a commodity distribution program, *Commissioner A. C. Hancock* said:

" 'If this program can't be at our sole discretion, the farmers will soon be migrants themselves.

" '* * * there are people waiting with their hands out that won't work when they are offered jobs and that's a situation we won't go for.

" '* * * there are those sitting with their hands out waiting to be fed and that's a situation we won't go for.'

"*Chairman Whitaker* said: "We're not saying people who are hungry won't be taken care of, but when we have thousands of able bodied people and can't hire 12 men, don't ask us to take part in the program.'

"After the Homer Bigart story in the New York Times, *Chairman Whitaker* said of a commodity program (Miami Hearld, March 1, 1969): 'But if you start handing out something like that, people just sit on their hands and take it.'

"In yesterday's Miami Herald *Commissioner Moore* was quoted as follows: " 'These people are farm laborers, that's all they are. They'll never be any different. They're that kind of people and they'll be that way till they die. They're farm labor.'

"The article pointed out that Collier County's 1968 welfare budget was $131,500. *Commissioner Moore* said: 'We cannot spend these taxpayers' money on these migrants. We are restricted by the laws of the State of Florida and we just don't have the right to do with taxpayers' money for migrants. We are solely responsible for the citizens of Collier County. The churches, this, that and the other help these migrants.'

"Of the commodity program *Moore* said: 'If the federal people are gonna do it, okay. The migrants themselves are federal people. They's not Immokalee people, they're not Collier people, they're not Florida people. They're federal people. If there's free food, these people'll come early and stay late. We'll have them in town all year long . . . They don'e give you a day's work.'

"Asked what happens when a migrant gets too old and whether the county would help him if he is forced to settle in Immokalee, *Moore* said, 'Why, I don't remember the question ever coming up.' "

STATEMENT OF LESTER WHITAKER, CHAIRMAN, COLLIER COUNTY COMMISSIONERS

Mr. WHITAKER. We are delighted that you gentlemen are here. If we appear slightly hostile, it is because of the articles that have been written. Most of them have stated everything but the truth, and we are sitting here under the impression of a lot of people that we are two-headed monsters, and according to Mr. Davies' testimony you gentlemen are right along with us in that category.

I do not have a prepared statement, and I hope you will forgive me if I ramble a little bit.

The CHAIRMAN. Is the other Commissioner here, Mr. Whitaker?

Mr. WHITAKER. No, I believe he could not wait this long, and had to leave.

The CHAIRMAN. Is this Mr. Hancock or Mr. Moore who is with you? Would you identify your associate?

Mr. WHITAKER. This is Commissioner Moore, and he is in this district.

In the statements, we might make, I would like to point out one thing clear, that we are not indicting the migrants, the year-round residents that work in the fields and other vocations. I am going to point out in my remarks some of the things that we have found and, as I say, it is certainly not an indictment of everyone.

We have some of the finest workers, some of the finest colored people, some of the finest Spanish people anywhere.

The thing that we are concerned with, naturally, we have to do the best we can with what we have to work with.

EXTENT OF HUNGER AND MALNUTRITION

Now, I do not believe, and the tour this morning bore this out to me, that there is widespread hunger in Collier County. Malnutrition to a certain extent, I won't argue that point, because if you have an 8-year-old boy, and if you don't keep him from eating hamburgers and cokes all the time, he is going to be on an unbalanced diet.

Hunger, of course, I am quite sure there are isolated cases in the county. I think the most of these cases, if they were investigated, could be blamed on parental neglect, because the people, their parents, do not buy the proper foods, and it is a habit of some of them, and again it is some of them, they buy a bottle prior to buying their groceries.

I know we have been taken to task, we have been abused, we have been misquoted and for not going into this food program.

We have—it has come to your attention by TV and others that there are areas in the United States where there are whole families on relief and welfare, that they have been on this from the time that they were born, and I understand in New York City, now, some of them are going into the third generation of people on welfare that have never been gainfully employed in their lives.

Now, we don't want this to happen here in Collier County. At the same time, we don't want to tolerate hunger.

PROGRAMS IN OPERATION

But just as a little of the background, some of the things that we are doing here in Collier County through the school system, which the county commission has supported in every instance that we had an opportunity, we are—our county welfare, that is, at the expense of the county taxpayers.

One of our friends in migrant legal services mentioned we were spending $121,000. I am glad he has upped these figures. It was quoted on the TV the other night something considerably lower than this. I am glad that he is at least improving.

The welfare program as such, along with our contribution to the so-called underprivileged, and I think this is what our concern is here today—the county itself, and I am talking about local taxes, we are spending this $121,000 plus $20,000 administrative costs, plus another $153,000 to our health department, plus numerous other things that we contribute to, and when you boil it all down to the amount of money that we are providing in the county, and that we are availing ourselves in the county, and again I am speaking for the entire county complex, when you break this down into per capita of our county, I think you are going to come up with an answer that is not quite as dismal as a lot of people would have you think.

The CHAIRMAN. Mr. Whitaker, how much of that county budget is for food purposes?

Mr. WHITAKER. For food, we have $7,500. This was accurately quoted by Mr. Foster, I believe.

We also provide other things. This doesn't mean that we can't if we had need for it—we have certain contingencies where we can go higher than that if it is necessary.

To relate a couple of experiences, and this is where some of this—some of these stories come out that we say they have to work if they eat.

This was partially true, and it was partially untrue.

EMPLOYMENT OPPORTUNITIES

Right now in Collier County anybody who is not working doesn't want to work, or there is some other extenuating circumstance to where they can't get away. I know sometimes the mothers with small children can't work. We have gone over backward to try to help these people.

We had an instance last summer where our welfare worker came over to Immokalee on a Wednesday, and she issued over 80 food orders, and when this figure of $4 was mentioned, this is $4 a week, not $4 per month, as some people thought.

We were shorthanded in our road department. We sent a representative over here on Friday of the same week with instructions to hire 20 people. We were going to furnish transportation for these people. We were paying them, offering to pay them a minimum of $14 a day, which is, in some places very small, but it is better than a $4 food order.

We were able to get five of these people to work.

Now, picture that, if you will. Over 100 apparently able-bodied people, and we could hire five.

Today, if you gentlemen observed, on our tour of the area I counted over 100 men—to me it looked like they were able-bodied. Now, if their families were hungry, why aren't they out in the fields? There is no excuse for not working.

I can get 500 people a job tomorrow morning in addition to what the farmers claim that they are taking out.

So these are some of the things that are in back of this. We don't want anyone to suffer, and when, Senator McGovern, I saw you on TV yesterday on "Face the Nation," or some program, where you said you had to teach people what hunger was.

You don't have to teach me this. I have been there. I grew up as one of the most underprivileged kids you ever saw, and I worked and came out of it, and I would like to reiterate that the only thing we want the people to do, the ones that are able, let's give them the opportunity.

Now, all the programs that have been outlined here by Mr. Murphy, Captain Reece, these are the programs that we think have to be the answer.

I know you are going to say, "What are we going to do in the meantime?"

We have to have programs in the meantime. We think this is the proper approach to correct our problem. We certainly don't want to deny anyone any request that comes in that is a valid request. We help them.

VALUE OF PROGRAMS

The CHAIRMAN. Mr. Whitaker, in that connection, how much though can you really do with a county food budget of $7,500? That seems to me to be a very small figure to deal with the numbers of people that seem to be indicated here that are in need of food.

The Department of Agriculture says it takes about $1,200 a year as a minimum to feed a family of four. How far is $7,500 going to go in a county where you have 22,000 migrant workers in meeting the problem?

Other counties can't afford to do it on that budget.
statements here that people were starving. We went around today, we seen these places, we heard one lady say that her principal diet was beans, peas and greens, and you and Senator Javits and myself looked in the refrigerator, and there were four packages of meat, and a large can of juice.

Senator JAVITS. When did that get there?

Mr. WHITAKER. A lot of these people don't require year-round sustenance.

The CHAIRMAN. No, but are you really saying that $7,500 is an adequate welfare budget for food purposes in this county? Will this close the nutritional gap in Collier County?

Mr. WHITAKER. Nutrition gap, I can't answer. Hunger gap, yes, I think it will, because last year we spent $6,000 and something, and I know that you have heard

Mr. WHITAKER. I wouldn't know. [Laughter.]

How often do they get it? Why didn't you ask them that?

Hunger in Collier County is not as widespread as is said, and people who try to help themselves, we try to help them.

We had a request come in from a lady a week ago Tuesday; she was an unmarried girl with eleven children. We authorized tubal ligation. It is a shame we didn't get to some of them 15 years ago.

We paid the tuition in nursing homes for some of these people that are unable to work.

RESPONSIBILITY—FEDERAL, STATE, LOCAL

The CHAIRMAN. You referred to a quotation from me yesterday on television. There was already a story which appeared in the Miami Herald that quoted you and other members of the county commissioners at some length.

Now, there is one statement here that puzzles me that is attributed to Mr. Moore. Perhaps he would like to comment on this. But if it is not correct, I would like to have it clarified.

The Miami Herald quotes you, Mr. Moore, as saying:

"If the Federal people are going to do it, O.K. The migrants themselves are Federal people. They are not Immokalee people. They are not Collier people, they are not Florida people. They are Federal people, and if there is free food, these people will come early and stay late. We will have them in town all year long."

First of all, I would like to know whether that statement is substantially representative of your views.

Mr. MOORE. No, sir, I didn't say that exactly, but I almost concur with every word of it. [Laughter.]

The CHAIRMAN. What do you mean when you say these people are Federal people and they are not the responsibility of Florida, or Collier County?

Are they solely a Federal responsibility?

Mr. MOORE. Senator Javits, you just asked Mr. Whitaker about this $7,500 we have for food in the county. I don't think he quite understood you right, maybe, but you are talking about the migrants.

Are you familiar with the laws of the State of Florida?

The CHAIRMAN. I wish you would clarify that.

Mr. MOORE. The county commissioners do not have the authority to spend money on migrants.

The CHAIRMAN. Whose responsibility would it be?

Mr. MOORE. The Federal Government's.

The CHAIRMAN. When you say you take care of your own and you don't need Federal assistance, you are excluding the migrants?

Mr. MOORE. That's right.

The CHAIRMAN. I think that is an important point, because if they are not part of Collier County, that is an urgent matter for this committee to look into. They must be residents somewhere. Where is their official residence?

Mr. MOORE. When they are in the State of Florida for 1 year and in our county 6 months, they are residents.

The CHAIRMAN. Under that law, or at least the interpretation of it, they do not have the rights of other citizens.

Mr. MOORE. No, sir. As far as our budget is concerned, as far as food, or hospitalization, or what have you, we do not have that authority.

The CHAIRMAN. Do you think that is a tolerable situation for people who have lived in the United States all their lives, when they are excluded from the whole range of welfare programs, the Federal, State, and local welfare programs, because of the residency requirements?

Mr. MOORE. We will have to take that up with our State legislature, and also you gentlemen.

Senator JAVITS. Would the gentleman yield?

Can we assume that they get nothing at all other than what we have heard about from the school, and nursery——

Mr. MOORE. That is from the school, Senator Javits.

Senator JAVITS. Health is county, isn't it? Is it or isn't it?

Mr. WHITAKER. Our contribution from local taxes to the health department is $153,000. The State, or migrant—I am not so sure, but Dr. Bradley could clear this up—they also contribute $153,000. We are talking about what we under our jurisdiction can do and cannot do.

Senator JAVITS. Do you consider the State to have the responsibility for these people, notwithstanding what Mr. Moore says? He says only the Federal Government has.

Mr. MOORE. It could be the State or Federal Government, or both.

Mr. WHITAKER. It is according to what action the State takes.

Senator JAVITS. Is the prosperity of the citizens of this county your responsibility?

Mr. WHITAKER. Citizens, yes.

Mr. MOORE. Citizens.

Senator JAVITS. Don't the migrants contribute to the prosperity of this county, and do you agree with the newspaper editor of your town who says without the migrants the whole county would fold?

Mr. WHITAKER. I suppose he is 100-percent correct. We are not saying that the migrants don't have a place here. They do have a place here.

Under our limited jurisdiction, I am trying to point out that the Federal funds that fund the school programs to educate these people and better equip them to be useful and respectable citizens, this is Federal money.

So we are not against Federal money as such. We are against—now, Mr. Davies, I believe, in the presentation he made, he had some 10 suggestions that should be done to correct the situation.

According—he read them over very quickly—and eight of them are "gimme, gimme, gimme."

One was that we should encourage industry to come in here, and the other was that the Agricultural Department should offer more to industry to come into agricultural areas.

Now, we don't have horns yet. I know some people think we do.

Senator JAVITS. Some people think I do, too. It doesn't stop me, and it apparently doesn't stop you.

Mr. WHITAKER. We would take the food stamps, if it is proposed. We would consider it——

Senator JAVITS. Would you accept that program?

Mr. WHITAKER. I will not commit myself, but we will consider it.

Senator JAVITS. Apparently you have considered the commodity program and turned it down, because you don't feel you have any moral responsibility to the migrant.

Mr. WHITAKER. I don't think there is that great a need.

Senator JAVITS. We have seen the need. You are giving us the essence of it now, when you say that here is a county that has no responsibility for 19,000 to 22,000 people exery year who make its economy, and could break it. It is inconceivable, and I don't see how any can thrive under that arrangement, that if 19,000 people here are the base of your economy you don't have any responsibility for them.

Mr. WHITAKER. We didn't say we had no responsibility. We said we had certain limitations as to what we could do.

Senator JAVITS. If they commit a crime, you slap them in jail don't you?

Mr. WHITAKER. You do in New York, don't you?

Senator JAVITS. Yes, but we try to meet their needs. [Applause and laughter.]

The CHAIRMAN. This is a Federal responsibility as far as food is concerned; if there is hunger and malnutrition in this county involving migrant workers, their view is that it is a total Federal responsibility? I want to understand fully.

Mr. WHITAKER. I haven't made that statement, that food and——

The CHAIRMAN. But you are suggesting that as far as food assistance is concerned, that when we talk about migrant workers, that is a Federal responsibility?

Mr. WHITAKER. If, you see, we get the jurisdiction on the local level to contribute to some of these things, that would change our way of thinking.

COST OF COMMODITY DISTRIBUTION PROGRAM

The CHAIRMAN. Isn't that available to you now, to participate with Federal food programs, where the administration would be in the hands of local people. Doesn't Lee County have a program like that?

Mr. WHITAKER. I think they do.

The CHAIRMAN. Why would you be barred from operating a similar program?

Mr. WHITAKER. We took the position that under the conditions it was offered, we were told that it would be estimated that we would have to contribute to at least 4,200 people in our county, that it would cost us approximately $45,000 to $56,000. We don't think that that much food is needed.

The CHAIRMAN. Now, Mr. Whitaker, on these cost figures, I have seen them quoted, too, in the press accounts, that the Board of Commissioners here had cost estimates up to $96,000 for operating a commodity distribution program, and yet in Lee County we are told that the program operates there at a cost of $8,000 a year, and feeds some 1,600 people.

Where would it cost so much more to operate a program in Collier County?

Mr. WHITAKER. We are taking the figures that were given to us by Mr. McCubbin, that came down out of Jacksonville.

The CHAIRMAN. Who is he?

Mr. WHITAKER. I think he is State director of this surpuls food program.

The CHAIRMAN. Do you know why it would cost so much more to operate it here?

Mr. WHITAKER. We had no information as to what was going on in Lee County as to the cost and so on.

FOOD STAMP PROGRAM

THE CHAIRMAN. Senator Ellender?

Senator ELLENDER. What is the position of your welfare director for obtaining a food stamp program for Collier County?

Mr. WHITAKER. A food stamp plan?

I am quite sure that perhaps we would certainly vote to accept a food stamp plan.

Senator ELLENDER. What were you talking about a while ago?

Mr. WHITAKER. A surplus food program.

Senator ELLENDER. As I follow this, all you need to do is spend money for the administration of the program. Stamps are sent to you.

Mr. WHITAKER. You are talking about stamps again.

Senator ELLENDER. Yes. That is the one I though you said you favored.

Governor KIRK. May I ask, isn't it true that, until Congress makes an additional appropriation, there are no further food stamp allocations available to any State, and in fact, when the Cabinet meets with me tomorrow in Tallahassee and we view the food stamp program, there will be no moneys available to that until Congress appropriates it?

Senator ELLENDER. You are correct. We appropriated the full amount last year, but the House turned it down.

Governor KIRK. You think you have the county commissioners at a disadvantage, and I wanted to be helpful if I could.

Senator ELLENDER. When the money is made available for the food stamp plan, in addition to what we have, in order for you to qualify, you have to get your welfare department to say so to the Department of Agriculture.

Mr. WHITAKER. I think we have that authority, sir. As I understand it—I don't know if Governor Kirk has something to say on that.

Senator ELLENDER. The welfare department states that this is eligible under law.

Mr. WHITAKER. Whatever the mechanics are, sir, I don't know.

Just to correct a few more statements that were made which were reported as being reasons for us not going into the program that it would assist in the unionization of farmers.

Now, how you can relate these two, I have no idea. Also, the food would compete with the local grocers.

Now, as far as I know, this has never—these things have never come up in discussion in our meetings. As far as I know, I have never made the statement, and I have never heard any commissioner make the statement, and it seems that this is just another product of someone's inventive mind, a lot of quotations that we have been subjected to.

Mr. BROWN. Would you allow one taxpaying citizen to make a statement?

The CHAIRMAN. Would you identify yourself?

Mr. BROWN. My name is Joe Brown, and I have lived in Immokalee 21 years. I came here in the dusting business, and I am still in it.

This whole thing is out of proportion of what is true, real facts of the thing. We are talking about some 20,000 or 22,000 migrants who come into this area to work, and we are talking about five or six cases of malnutrition.

We don't need a Government-supported program. These people can get relief if they apply through the proper channels. It is available to them.

These people that come in here, you say they make $1,7000 a year here. They make it somewhere else. They are a gypsy type of person who want to live like they do. They migrate from all over the United States, and they make money everywhere they go.

They pay no social security, no withholding tax. They don't contribute anything what they make except in the form of cigarette taxes, most of them are not married and have illegitimate children that the taxpayers have to pay for and keep up.

If the true facts of this thing could come out, we don't need a giveaway program. We need people to work in this community.

The Bible says, and I quote, "The poor ye shall have with you aways."

I don't think we are going to change the prophecy of the Bible. The people in desperate need of help, I would like to see them get it, but they don't need a financed, a Federal program, because if they get it, it is going to hurt our people.

The CHAIRMAN. Mr. Brown, in that connection, if you followed the food stamp route, it would help your local business.

Mr. BROWN. The food stamp would be the only acceptable way, because that way the merchant would benefit by it. But we cannot make anybody socially equal, or financially equal in this world, and people have to stand on their own two feet and fight.

The CHAIRMAN. How are you going to help the people break out of this cycle if we can't take certain steps to help them lift their standard of life? It seems to me the place to begin is to make sure that a child at least has an adequate diet.

A lot of those youngsters, through no fault of their own, are still suffering damage that will afflict them the rest of their lives, because of inadequate food supplies, either when the mother is carrying the child or in the years immediately after birth.

We have had testimony of damage that stays with them the rest of their lives. Maybe that is one of the reasons they are as handicapped and as inadequate as they are in some respects.

Mr. BROWN. There is one thing that is true, that a food stamp program would not hurt our merchants. The taxpayers will eventually pay for it. But as far as needing a big giveaway program or a large welfare program, we don't need what is the general discussion of what is going on here in this community.

We need people here to work, and people who don't buy wine at the end of the day with their $10.

And we want to remember that in the families the man and woman both go out and work, and they don't keep up the property they live in, they destroy it.

They only live here 2 or 3 months out of the year, and then to Georgia, and Mississippi, and Wisconsin, or wherever it is that they follow the route.

We are making a big mountain out of a molehill here that we don't need. It is unfavorable publicity to our county, because it is not true what is basically being said here.

If the people would spend the money they make and buy food instead of wine, there wouldn't be any arguments about malnutrition.

That is all I have to say, Your Honor.

The CHAIRMAN. We are under a time factor here.

Mr. WHITAKER. I have one more brief statement.

I would like to call your attention to some of the programs we are supporting, and one is a self-help housing program, and right now we have something like 77 houses, which is a pittance, I know, in numbers.

The CHAIRMAN. Will the audience please be in order so we can hear the commissioners?

Mr. WHITAKER. We have 77 in this county, either complete or under construction, with many more underway. This is a good program.

We also have the programs that are in effect in this area—it's the community action migrant program, they call it, but they have broadened their area to take in any underprivileged persons in three or four counties.

The county commission has gone on record to try to help them get this program funded.

I talked to a colored gentleman a few days ago in Fort Myers, and they have helped 823 families to increase their earning capacity by training. These—programs like these, and the educational programs that are carried on in the schools, these are the programs that we think are going to correct this, and we are in 100-percent support of these programs.

The CHAIRMAN. Thank you, Commissioner Whitaker.

Mr. Moore, did you wish to add to what has been said?

STATE RESPONSIBILITY

Mr. MOORE. As you quoted from the paper the statement that I made, I would like to say, while Governor Kirk is here, it was in the Tampa Tribune, where I made something of the same statement, but it also says in here that I said that the State didn't have the right to spend money on the migrants.

I would like to correct that for your benefit, sir. I did not make that kind of statement. I have enough trouble trying to run this part of the county, without the State.

The CHAIRMAN. Senator Javits?

Senator JAVITS. Mr. Moore, are we going to take that as an amendment to your statement that these are Federal people—they are now both State and Federal?

Mr. MOORE. They would be State and Federal people, but as things stand now, we are not able to fund help for them at the present time, and until it is made available, our hands are tied.

Senator JAVITS. But you do admit you are legally able to fund food programs for them, and to let their children go to school?

Mr. MOORE. Yes.

Senator JAVITS. And to put their children in Headstart, and some health care programs.

Mr. MOORE. That is through your school board. That doesn't come under the county commission.

Senator JAVITS. But it is a quantity question, no longer a quality question. What is the tax rate in this county?

Mr. WHITAKER. The basic millage is 17.2.

Senator JAVITS. Where does that stand statewide?

Mr. WHITAKER. I haven't taken the trouble to find out. It varies.

Senator JAVITS. This is a low-tax county, is it not?

Governor KIRK. There is a 100-percent-assessment law in this State, Senator. This is an agricultural county. I hope you won't compare it with Palm Beach.

Senator JAVITS. When we hear it has a $40 million production in agriculture, and can't provide more than $7,500 on food, and can't spend even $50,000—let me finish, Governor—and can't spend even $50,000 for a food distribution program, I think it raises a very serious question.

It doesn't have to be Palm Beach for such an economic base.

Governor KIRK. I will be glad to give you clear and direct answers.

Senator JAVITS. I am trying to give you one, too, sir, if you will.

Mr. WHITAKER. Senator Javits——

The CHAIRMAN. Senator Mondale?

Senator MONDALE. The self-help housing, is the county doing that?

Mr. WHITAKER. The county is cooperating with them in passing the necessary resolutions and supports, and we tour the area occasionally.

Senator JAVITS. Are you spending any money on that self-help housing?

Mr. WHITAKER. No; we are not.

If I might, just in answer to Senator Javits' statement that it is a $40 million industry, the county does not get any taxes out of that $40 million.

Senator JAVITS. But this makes the economic base of the county.

I have the greatest respect for your Governor, who I think is a very fine public servant, but I just want to make my point with the force and power that the Governor makes his. We are men, too, as well as Government officials.

There is a real economic base here which the migrants make, and I must say that it deeply concerns me, and I think every member of the committee, when you see their situation, and then when you face two good men, whom I suppose go to church and worship their God, like the rest of us do, telling us that, as far as they are concerned, they have no responsibility. There is something wrong somewhere.

Maybe we can find out what it is and do something about it. But in this, we are all children of God.

Mr. WHITAKER. I would like to thank you very much for coming down.

Senator MONDALE. We will now recess the hearings until further notice.

(Whereupon, at 1:34 p.m. the subcommittee recessed, subject to call of the Chair.)

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